



# 2022

## RETIREMENT LEGISLATION

Office of the New York State Comptroller  
Thomas P. DiNapoli



# NYSLRS

New York State and Local Retirement System

## A MESSAGE FROM COMPTROLLER THOMAS P. DINAPOLI

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Every year, the Legislature passes new laws that affect the New York State and Local Retirement System (NYSLRS) and other New York public retirement systems.

This publication covers retirement and retirement-related legislation enacted or vetoed during the 2022 Legislative Session. Sections I and II list legislation directly affecting NYSLRS, our participating employers, members, retirees and beneficiaries. Sections III and IV cover legislation affecting other New York public retirement systems.

I hope you find this 2022 Retirement Legislation publication to be a useful reference.

Sincerely,

A handwritten signature in black ink that reads "Tom DiNapoli". The signature is written in a cursive, flowing style.

Thomas P. DiNapoli  
State Comptroller

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## CHAPTER TITLES

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### Section I

#### Legislation Affecting the New York State and Local Retirement System

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CHAPTER NO.	PAGE	DESCRIPTION
56	3	Waives the post retirement earnings limitations on public retirees working for a school or BOCES (Part HH); Excludes pensionable earnings above the annual base wages of Tier 6 members for plan years April 1, 2022 through April 1, 2024 (Part SS); and lowers the vesting requirement for Tier 5 and 6 members to 5 years (Part TT) <b>[S.8006/A.9006]</b>
60	19	Allows members of the New York State and Local Police and Fire Retirement System represented by the Agency Police Services negotiating unit, to receive salary increases and other pensionable lump sum payments; allows such members to receive service credit for up to 200 days of unused sick leave; provides them with salary increases and other lump sum payments that are pensionable <b>[S.8748/A.9771]</b>
359	41	Implements the terms of a collectively negotiated agreement between NYS and Council 82 <b>[S.9463/A.10489]</b>
361	77	Implements the terms of a collectively negotiated agreement between NYS and CSEA and M/C; provides them with salary increases and other lump sum payments that are pensionable <b>[S.9478/A.10526]</b>
482	106	Relates to defining the terms “retiree” and “beneficiary” within the freedom of information law <b>[S.190/A.5469]</b>
528	108	Increases the amounts of certain special accidental death benefits <b>[S.9056/A.10190]</b>
561	114	Relates to disability claims for a qualifying World Trade Center condition <b>[S.9294/A.10416]</b>
585	119	Relates to allowing veterans with qualifying conditions and discharged LGBT veterans to receive military service credit <b>[S.6022/A.5278]</b>
607	131	Authorizes the county of Orleans to offer an optional twenty year retirement plan to Kevin Colonna, a deputy sheriff employed by such county <b>[S.3722/A.9353]</b>
608	133	Authorizes the county of Orleans to offer an optional twenty year retirement plan to Ryan Flaherty, a deputy sheriff employed by such county <b>[S.3723/A.9375]</b>
609	135	Authorizes the county of Broome to offer an optional twenty year retirement plan to Joshua Quinn, a deputy sheriff employed by such county <b>[S.8443/A.9437]</b>

CHAPTER NO.	PAGE	DESCRIPTION
610	137	Authorizes Nicholas Moore, Joshua Golden and Nathan Kasprzak to receive certain service credit under section 384-d of the retirement and social security law <b>[S.8505/A.9517]</b>
616	140	Authorizes the county of Clinton to offer an optional twenty-five year retirement plan to certain deputy sheriffs employed by such county <b>[S.9141/A.10231]</b>
719	142	Relates to providing accidental disability retirement benefits for fire protection specialists <b>[S.1889/A.4084]</b>
720	144	Relates to delaying the reduction in the ordinary death benefit payable to the beneficiaries of Tier 5 and Tier 6 members who die in active service <b>[S.6619/A.7730]</b>
752	150	Authorizes the town of Niskayuna, in the county of Schenectady, to offer certain retirement options to four police officers employed by such town <b>[S.7238/A.7642]</b>
756	152	Grants retroactive tier IV membership in the New York state and local employees' retirement system to Mark Pavlak <b>[S.8676/A.9690]</b>
761	154	Relates to granting retroactive tier IV status to Kimberly Kinblom <b>[S.9026/A.10218]</b>
769	156	Deems an application filed with the New York state and local police and fire retirement system by the widow of Stephen L. Raymond as timely filed <b>[S.6058/A.7078]</b>
770	158	Authorizes retroactive tier III membership in the New York state and local employees' retirement system to Steven R. Grice <b>[S.7240/A.8025]</b>
775	160	Relates to increasing the allowable investments by public pension funds in "Basket Clause" investments from 25% to 35% of fund assets <b>[S.8532/A.9668]</b>
783	163	Relates to extending the coronavirus disease 2019 (COVID-19) benefit for public employee death benefits through December 31, 2024 <b>[S.9119/A.10022]</b>
784	172	Provides clarification for the creation of valid statutory short form and other powers of attorney <b>[S.9209/A.10234]</b>

## CHAPTER TITLES

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### Section II

#### Vetoed Legislation Affecting the New York State and Local Retirement System

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VETO NO.	PAGE	DESCRIPTION
M.112	175	Provides a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors <b>[S.8558/A.4607]</b>
M.114	181	Relates to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan <b>[S.7162/A.7914]</b>
M.116	186	Relates to the calculation of final average salary for certain members of the New York state and local police and fire retirement system <b>[S.8401/A.9581]</b>
M.117	192	Provides for certain death benefits to fire marshals employed by Nassau county <b>[S.8584/A.9738]</b>
M.123	202	Relates to the effect of certain medical presumptions relating to heart disease <b>[S.6093/A.7004]</b>
M.131	208	Relates to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system <b>[S.8399/A.6365]</b>
M.132	213	Provides for certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county <b>[S.8448/A.9670]</b>
M.133	218	Establishes a twenty year retirement plan for members or officers of law enforcement <b>[S.8477/A.9325]</b>
M.135	225	Relates to accidental disability retirement for deputy sheriffs <b>[S.8559/A.9666]</b>
M.136	230	Relates to the retirement of deputy sheriffs-civil in the county of Monroe <b>[S.8682/A.9440]</b>
M.137	238	Relates to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit <b>[S.8959/A.4460]</b>
M.146	244	Relates to the calculation of past service credit for NYC DEP police transferring between the New York city employees' retirement system to the state and local police and fire retirement system <b>[S.5557/A.7383]</b>
M.165	250	Grants retroactive membership in the New York state and local employees' retirement system to Justin Whitmore <b>[S.4686/A.6164]</b>
M.196	253	Makes technical changes to provisions providing for certification for service as a retired judge of the court of appeals or a retired justice of the supreme court <b>[S.9341/A.10470]</b>

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### Section III

#### Legislation Affecting Other New York Public Retirement Systems

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CHAPTER NO.	PAGE	DESCRIPTION
782	259	Provides a special accidental death benefit to the parents of certain deceased members under certain conditions <b>[S.9085/A.10466]</b>

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### Section IV

#### Vetoed Legislation Affecting Other New York Public Retirement Systems

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VETO NO.	PAGE	DESCRIPTION
M.45	263	Provides for the automatic enrollment of employees of the city of New York eligible to join the New York city board of education retirement system <b>[S.8644/A.9620]</b>
M.126	269	Relates to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member <b>[S.6980/A.10029]</b>
M.127	276	Relates to additional member contributions for certain members under the age fifty-seven retirement program <b>[S.6981/A.7971]</b>
M.128	283	Relates to automotive members of the New York city employees' retirement system <b>[S.6985/A.7873]</b>
M.129	290	Relates to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors <b>[S.6988/A.7962]</b>
M.138	314	Allows retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service <b>[S.9296/A.7184]</b>
M.173	320	Relates to allowing certain members of the New York city police pension fund to borrow from contributions <b>[S.9327/A.10360]</b>



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5278	585	I	119
9353	607	I	131
9375	608	I	133
9437	609	I	135
9517	610	I	137
10231	616	I	140
4084	719	I	142
7730	720	I	144
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10022	783	I	163
10234	784	I	172

# SECTION I

Legislation Affecting the  
New York State and Local Retirement System

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STATE OF NEW YORK

S. 8006--C

A. 9006--C

SENATE - ASSEMBLY

January 19, 2022

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance - committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee - committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services; and providing for the repeal of such provisions upon expiration thereof (Part HH); to amend the retirement and social security law, in relation to enacting reforms related to public service performed during the COVID-19 pandemic (Part SS); to amend the retirement and social security law, in relation to providing reforms to Tier 5 and Tier 6 of the retirement system (Part TT)

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

PART HH

49 Section 1. Section 211 of the retirement and social security law is  
50 amended by adding a new subdivision 9 to read as follows:  
51 9. Notwithstanding the provisions of this section, sections two  
52 hundred twelve and four hundred one of this chapter and section five  
53 hundred three of the education law and any other law, regulation, rule,  
54 local law, or charter to the contrary, a retired person may be employed

1 and earn compensation in a position or positions in the service of a  
 2 school district or a board of cooperative educational services in the  
 3 state without any effect on his or her status as retired and without  
 4 suspension or diminution of his or her retirement allowance and without  
 5 prior approval pursuant to subdivision two of this section. Earnings  
 6 received as a result of employment in a school district or a board of  
 7 cooperative educational services in the state shall not be applied to a  
 8 retired person's earnings when calculating the earnings limitations  
 9 imposed by subdivisions one and two of section two hundred twelve of  
 10 this article.

11 § 2. This act shall take effect immediately and shall expire and be  
 12 deemed repealed June 30, 2023.

PART SS

46 Section 1. The second undesignated paragraph of subdivision a of  
 47 section 517 of the retirement and social security law, as amended by  
 48 chapter 18 of the laws of 2012, is amended to read as follows:

49 Notwithstanding the foregoing, during each of the first three plan  
 50 years (April first to March thirty-first) in which such member has  
 51 established membership in the New York state and local employees'  
 52 retirement system, such member shall contribute a percentage of annual  
 53 wages in accordance with the preceding schedule based upon a projection  
 54 of annual wages provided by the employer. Notwithstanding the foregoing,

1 when determining the rate at which each such member who became a member  
 2 of the New York state and local employees' retirement system on or after  
 3 April first, two thousand twelve shall contribute for any plan year  
 4 (April first to March thirty-first) between April first, two thousand  
 5 twenty-two and April first, two thousand twenty-four, such rate shall be  
 6 determined by reference to employees annual base wages of such member in  
 7 the second plan year (April first to March thirty-first) preceding such  
 8 current plan year. Base wages shall include regular pay, shift differen-  
 9 tial pay, location pay, and any increased hiring rate pay, but shall not  
 10 include any overtime payments.

11 § 2. The second undesignated paragraph of paragraph 1 and the second  
 12 undesignated paragraph of paragraph 2 of subdivision a, the second  
 13 undesignated paragraph of subdivision f and the second undesignated  
 14 paragraph of subdivision g of section 613 of the retirement and social  
 15 security law, the second undesignated paragraph of paragraph 1 and the  
 16 second undesignated paragraph of paragraph 2 of subdivision a as amended  
 17 by chapter 510 of the laws of 2015 and the second undesignated paragraph  
 18 of subdivision f and the second undesignated paragraph of subdivision g  
 19 as amended by chapter 18 of the laws of 2012, are amended to read as  
 20 follows:

21 Notwithstanding the foregoing, during each of the first three plan  
 22 years (April first to March thirty-first, except for members of New York  
 23 city employees' retirement system, New York city teachers' retirement  
 24 system and New York city board of education retirement system, plan year  
 25 shall mean January first through December thirty-first commencing with  
 26 the January first next succeeding the effective date of [~~the~~ chapter  
 27 five hundred ten of the laws of two thousand fifteen [~~that amended this~~  
 28 ~~paragraph~~]) in which such member has established membership in a public  
 29 retirement system of the state, such member shall contribute a percent-  
 30 age of annual wages in accordance with the preceding schedule based upon  
 31 a projection of annual wages provided by the employer. Notwithstanding  
 32 the foregoing, when determining the rate at which each such member who  
 33 became a member of the New York state and local employees' retirement  
 34 system, New York city employees' retirement system, New York city teach-  
 35 ers' retirement system and New York city board of education retirement  
 36 system, on or after April first, two thousand twelve shall contribute  
 37 for any plan year (April first to March thirty-first, except for members  
 38 of the New York city employees' retirement system, New York city teach-  
 39 ers' retirement system and New York city board of education retirement  
 40 system, plan year shall mean January first through December thirty-first  
 41 commencing with January first next succeeding the effective date of  
 42 chapter five hundred ten of the laws of two thousand fifteen) between  
 43 April first, two thousand twenty-two and April first, two thousand twen-  
 44 ty-four, such rate shall be determined by reference to employees annual  
 45 base wages of such member in the second plan year (April first to March  
 46 thirty-first) preceding such current plan year. Base wages shall include  
 47 regular pay, shift differential pay, location pay, and any increased  
 48 hiring rate pay, but shall not include any overtime payments or compen-  
 49 sation earned for extracurricular programs or any other pensionable  
 50 earnings paid in addition to the annual base wages.

51 Notwithstanding the foregoing, during each of the first three plan  
 52 years (April first to March thirty-first, provided, however, that plan  
 53 year shall mean January first through December thirty-first commencing  
 54 with the January first next succeeding the effective date of [~~the~~ chap-  
 55 ter five hundred ten of the laws of two thousand fifteen [~~that amended~~  
 56 ~~this paragraph~~]) in which such member has established membership in the

1 New York city employees' retirement system, such member shall contribute  
2 a percentage of annual wages in accordance with the preceding schedule  
3 based upon a projection of annual wages provided by the employer.  
4 Notwithstanding the foregoing, when determining the rate at which each  
5 such member who became a member of, New York city employees' retirement  
6 system, on or after April first, two thousand twelve shall contribute  
7 for any plan year (April first to March thirty-first, provided, howev-  
8 er, that plan year shall mean January first through December thirty-  
9 first commencing with the January first next succeeding the effective  
10 date of chapter five hundred ten of the laws of two thousand fifteen)  
11 between April first, two thousand twenty-two and April first, two thou-  
12 sand twenty-four, such rate shall be determined by reference to  
13 employees annual base wages of such member in the second plan year  
14 (April first to March thirty-first) preceding such current plan year.  
15 Base wages shall include regular pay, shift differential pay, location  
16 pay, and any increased hiring rate pay, but shall not include any over-  
17 time payments.

18 Notwithstanding the foregoing, during each of the first three plan  
19 years (April first to March thirty-first) in which such member has  
20 established membership in the New York state and local employees'  
21 retirement system, such member shall contribute a percentage of annual  
22 wages in accordance with the preceding schedule based upon a projection  
23 of annual wages provided by the employer. Notwithstanding the foregoing,  
24 when determining the rate at which each such member who became a member  
25 of the New York state and local employees' retirement system on or after  
26 April first, two thousand twelve shall contribute for any plan year  
27 (April first to March thirty-first) between April first, two thousand  
28 twenty-two and April first, two thousand twenty-four, such rate shall be  
29 determined by reference to employees annual base wages of such member in  
30 the second plan year (April first to March thirty-first) preceding such  
31 current plan year. Base wages shall include regular pay, shift differen-  
32 tial pay, location pay, and any increased hiring rate pay, but shall not  
33 include any overtime payments.

34 Notwithstanding the foregoing, during each of the first three plan  
35 years (July first to June thirtieth) in which such member has estab-  
36 lished membership in the New York state teachers' retirement system,  
37 such member shall contribute a percentage of annual wages in accordance  
38 with the preceding schedule based upon a projection of annual wages  
39 provided by the employer. Notwithstanding the foregoing, when determin-  
40 ing the contribution rate at which a member of the New York state teach-  
41 ers' retirement system with a date of membership on or after April  
42 first, two thousand twelve shall contribute for plan years (July first  
43 to June thirtieth) between July first, two thousand twenty-two and July  
44 first, two thousand twenty-four, such rate shall be determined by refer-  
45 ence to the member's annual base wages in the second plan year (July  
46 first to June thirtieth) preceding such current plan year. Annual base  
47 wages shall not include compensation earned for extracurricular programs  
48 or any other pensionable earnings paid in addition to the annual base  
49 wages.

50 § 3. The second undesignated paragraph of section 1204 of the retire-  
51 ment and social security law, as amended by chapter 18 of the laws of  
52 2012, is amended to read as follows:

53 Notwithstanding the foregoing, during each of the first three plan  
54 years (April first to March thirty-first) in which such member has  
55 established membership in the New York state and local police and fire  
56 retirement system, such member shall contribute a percentage of annual

1 wages in accordance with the preceding schedule based upon a projection  
 2 of annual wages provided by the employer. Notwithstanding the foregoing,  
 3 when determining the rate at which each such member who became a member  
 4 of the New York state and local police and fire retirement system on or  
 5 after April first, two thousand twelve shall contribute for any plan  
 6 year (April first to March thirty-first) between April first, two thou-  
 7 sand twenty-two and April first, two thousand twenty-four, such rate  
 8 shall be determined by reference to employees annual base wages of such  
 9 member in the second plan year (April first to March thirty-first)  
 10 preceding such current plan year. Base wages shall include regular pay,  
 11 shift differential pay, location pay, and any increased hiring rate pay,  
 12 but shall not include any overtime payments. Effective April first, two  
 13 thousand twelve, all members subject to the provisions of this article  
 14 shall not be required to make member contributions on annual wages  
 15 excluded from the calculation of final average salary pursuant to  
 16 section [~~1203~~] twelve hundred three of this article. Nothing in this  
 17 section, however, shall be construed or deemed to allow members to  
 18 receive a refund of any member contributions on such wages paid prior to  
 19 April first, two thousand twelve.

20 § 4. Nothing in this act shall be construed or deemed to allow members  
 21 to receive a refund of any member contributions made or collected prior  
 22 to the effective date of this act.

23 § 5. Notwithstanding any other provision of law to the contrary, none  
 24 of the provisions of this act shall be subject to section 25 of the  
 25 retirement and social security law.

26 § 6. This act shall take effect immediately and shall be deemed to  
 27 have been in full force and effect on and after April 1, 2022.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would exclude overtime pay from the annual wages used to  
 determine the variable member contribution rate for Tier 6 members of  
 the New York State and Local Retirement System during the period of  
 April 1, 2022 to April 1, 2024. There will be no return of member  
 contributions.

Section 25 does not apply.

Insofar as this bill affects the New York State and Local Employees'  
 Retirement System (NYSLERS), if this legislation is enacted during the  
 2022 legislative session, there will be an increase in the present value  
 of benefits of approximately \$27 million which would be shared by the  
 State of New York and all participating employers in the NYSLERS. The  
 estimated first-year cost would be approximately \$1.2 million to the  
 State of New York and approximately \$1.7 million to the participating  
 employers in the NYSLERS.

Insofar as this bill affects the New York State and Local Police and  
 Fire Retirement System (NYSLPFRS), if this legislation is enacted during  
 the 2022 legislative session, there will be an increase in the present  
 value of benefits of approximately \$5 million which would be shared by  
 the State of New York and all participating employers in the NYSLPFRS.  
 The estimated first-year cost would be approximately \$0.1 million to the  
 State of New York and approximately \$0.4 million to the participating  
 employers in the NYSLPFRS.

In addition to the first-year costs discussed above, implementing the  
 provisions of this legislation would generate administrative costs.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact  
 of the proposed change, the same data used in the April 1, 2021 actuari-  
 al valuation. Distributions and other statistics can be found in the



2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 7, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-123, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

As this bill relates to the New York State Teachers' Retirement System, this bill would amend Section 613 of the Retirement and Social Security Law to permit the employee contribution rate for Tier 6 members to be determined using only a member's annual base wages and would not include compensation earned for extracurricular programs or any other pensionable earnings paid in addition to the annual base wages, for employee contributions to be made during the two fiscal years ending June 30, 2023 and June 30, 2024. Currently, the employee contribution rate for a Tier 6 member is determined using a member's total annual wages, including earnings from extracurricular programs and any other pensionable earnings paid to the member.

The cost for using only annual base wages to determine the employee contribution rate for Tier 6 members during 2023 and 2024 is estimated to be \$9.3 million, over the two-year period, if this bill is enacted. This is not a recurring annual cost, but rather a temporary cost due to the projected decrease in employee contributions to be made during the two fiscal years ending June 30, 2023 and June 30, 2024.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-37 dated April 6, 2022 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS), would amend Section 613 of the Retirement and Social Security Law (RSSL) to limit the salary used in determining employee contribution rates during a certain period of time by excluding compensation earned for work performed outside of the regular hours or workday for Tier 6 members of

the New York City Employees' Retirement System (NYCERS), the New York City Teachers' Retirement System (NYCTRS), and the New York City Board of Education Retirement System (BERS).

Effective Date: Upon enactment.

BACKGROUND: Currently, Tier 6 members of NYCERS, NYCTRS, and BERS are required to make Basic Member Contributions (BMC) ranging from 3% to 6% depending on the members' applicable annual wages. Annual wages include overtime up to a certain limit (\$17,301 for calendar year 2021).

Under the proposed legislation, if enacted, any pensionable earnings paid in addition to the annual base wages, including overtime and compensation earned for extracurricular activities, during the specified period would be excluded from annual wages used to calculate Tier 6 BMC rates.

FINANCIAL IMPACT - PRESENT VALUES: The estimated financial impact of implementing the changes described above is a decrease in the Present Value of member contributions. There is also a small decrease in the Present Value of Future Benefits (PVFB) as a result of reduced refunds of member contributions upon termination of employment. The net result is an increase in the Present Value of future employer contributions and annual employer contributions of NYCERS, NYCTRS, and BERS. A breakdown of the financial impact by System is shown in the table below.

NYCRS	Additional Present Value of Future Employer Contributions (\$ Millions)	Estimated First Year Annual Employer Contributions (\$ Millions)
NYCERS	\$ 9.9	\$0.9
NYCTRS	6.1	0.4
BERS *	<u>0.0</u>	<u>0.0</u>
Total	\$16.0	\$1.3**

\* The increase in the Present Value of future employer contributions and annual employer contributions for BERS is expected to be de minimis.

\*\* The increase in the employer contributions is estimated to be \$0.8 million for New York City and \$0.5 million for the other obligors of NYCERS.

In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNY), new Unfunded Accrued Liability (UAL) attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes.

As of June 30, 2021, the remaining working lifetime of NYCERS Tier 6 members is approximately 16 years, NYCTRS Tier 6 members is approximately 20 years, and BERS Tier 6 members is approximately 15 years.

For purposes of this Fiscal Note, the increase in the UAL for NYCERS was amortized over a 16-year period (15 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. Under the same methodology the increase in the UAL for NYCTRS and BERS was amortized over 19 and 14 payments, respectively.

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that the changes in the Present Value of future employer contributions and annual employer contributions would be reflected for the first time in the Final June 30, 2021 actuarial valuation of NYCERS, NYCTRS, and BERS. In accordance with the OYLM used to determine employer

contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

CENSUS DATA: The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of NYCERS, NYCTRS, and BERS to determine the Preliminary Fiscal Year 2023 employer contributions.

The table below contains a summary of the census data for Tier 6 members in NYCERS, NYCTRS, and BERS as of June 30, 2021.

NYCRS	Active Count	Average Age	Average Service	Average Salary
NYCERS	71,663	41.3	3.9	\$72,000
NYCTRS	49,642	37.1	4.5	\$74,600
BERS	12,229	45.5	3.3	\$50,400

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS, NYCTRS, and BERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS, NYCTRS, and BERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of NYCERS, NYCTRS, and BERS and other New York City agencies to implement the proposed legislation.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-16 dated April 7, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System, the New York City Teachers' Retirement System, and the New York City Board of Education Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

1

PART TT

2 Section 1. Subdivision a of section 516 of the retirement and social  
3 security law, as amended by section 4 of part B of chapter 504 of the  
4 laws of 2009, is amended to read as follows:

1 a. A member who has five or more years of credited service [~~or ten or~~  
2 ~~more years of credited service for members who first join the New York~~  
3 ~~state and local employees' retirement system on or after January first,~~  
4 ~~two thousand ten~~] upon termination of employment shall be entitled to a  
5 deferred vested benefit as provided herein.

6 § 2. Subdivisions a and a-1 of section 612 of the retirement and  
7 social security law, as amended by chapter 18 of the laws of 2012, are  
8 amended to read as follows:

9 a. Except as provided in subdivision a-1 of this section, a member who  
10 has five or more years of credited service [~~, or ten or more years of~~  
11 ~~credited service for a member who first joined the New York state and~~  
12 ~~local employees' retirement system or the New York state teachers'~~  
13 ~~retirement system on or after January first, two thousand ten~~], upon  
14 termination of employment, other than a member who is entitled to a  
15 deferred vested benefit pursuant to any other provision of this article,  
16 shall be entitled to a deferred vested benefit at normal retirement age  
17 computed in accordance with the provisions of section six hundred four  
18 of this article. Except as provided in subdivision a-1 of this section,  
19 a member of a teachers' retirement system or the New York state and  
20 local employees' retirement system who has five or more years of credit-  
21 ed service, [~~or ten or more years of credited service for a member who~~  
22 ~~first becomes a member of the New York state and local employees'~~  
23 ~~retirement system or the New York state teachers' retirement system on~~  
24 ~~or after January first, two thousand ten,~~] upon termination of employ-  
25 ment shall be entitled to a deferred vested benefit prior to normal  
26 retirement age, but no earlier than age fifty-five, computed in accord-  
27 ance with the provisions of subdivision i of section six hundred three  
28 of this article as amended by section eight of part B of chapter five  
29 hundred four of the laws of two thousand nine. Anything to the contrary  
30 notwithstanding, a member of a public retirement system of the state who  
31 first became a member of such system on or after April first, two thou-  
32 sand twelve must have at least [~~ten~~] five years of credited service in  
33 order to qualify for a deferred vested benefit under this section; such  
34 member shall not be entitled to such benefit prior to the member's  
35 attainment of age sixty-three; and such deferred vested benefit shall be  
36 computed pursuant to subdivision b-1 of section six hundred four of this  
37 article.

38 a-1. Notwithstanding the provisions of subdivision a of this section  
39 or any other provision of law to the contrary, (i) a member of the New  
40 York city teachers' retirement system who holds a position represented  
41 by the recognized teacher organization for collective bargaining  
42 purposes, who became subject to the provisions of this article after the  
43 effective date of this subdivision, and who has [~~ten~~] five or more years  
44 of credited service, or (ii) a member of the New York city board of  
45 education retirement system who holds a position represented by the  
46 recognized teacher organization for collective bargaining purposes, who  
47 became subject to the provisions of this article after the effective  
48 date of this subdivision, and who has [~~ten~~] five or more years of cred-  
49 ited service, other than such a member of either of such retirement  
50 systems who is entitled to a deferred vested benefit pursuant to any  
51 other provision of this article, shall, upon termination of employment,  
52 be entitled to a deferred vested benefit at normal retirement age  
53 computed in accordance with the provisions of section six hundred four  
54 of this article. Notwithstanding the provisions of subdivision a of  
55 this section or any other provision of law to the contrary, a member of  
56 the New York city teachers' retirement system who holds a position

1 represented by the recognized teacher organization for collective  
 2 bargaining purposes, who became subject to the provisions of this arti-  
 3 cle after the effective date of this subdivision, and who has [~~ten~~] five  
 4 or more years of credited service, shall, upon termination of employ-  
 5 ment, be entitled to a deferred vested benefit prior to normal retire-  
 6 ment age, but no earlier than age fifty-five, computed in accordance  
 7 with the provisions of subdivision i of section six hundred three of  
 8 this article, provided, however, that any such member of either of such  
 9 retirement systems who is a New York city revised plan member shall be  
 10 required to have at least [~~ten~~] five years of credited service in order  
 11 to be eligible for a deferred vested benefit, such member shall not be  
 12 entitled to payability of such benefit prior to attainment of age  
 13 sixty-three and such deferred vested benefit shall be computed pursuant  
 14 to subdivision b-1 of section six hundred four of this article.

15 § 3. Subdivisions a and b of section 502 of the retirement and social  
 16 security law, as amended by section 2 of part B of chapter 504 of the  
 17 laws of 2009, are amended to read as follows:

18 a. A member who first joins a public retirement system of this state  
 19 on or after June thirtieth, nineteen hundred seventy-six shall not be  
 20 eligible for service retirement benefits hereunder until such member has  
 21 rendered a minimum of five years of creditable service after July first,  
 22 nineteen hundred seventy-three[~~, except that a member who first joins~~  
 23 ~~the New York state and local employees' retirement system on or after~~  
 24 ~~January first, two thousand ten shall not be eligible for service~~  
 25 ~~retirement benefits pursuant to this article until such member has~~  
 26 ~~rendered a minimum of ten years of credited service].~~

27 b. A member who previously was a member of a public retirement system  
 28 of this state shall not be eligible for service retirement benefits  
 29 hereunder until such member has rendered a minimum of five years of  
 30 service which is creditable pursuant to section five hundred thirteen of  
 31 this article. [~~A member who first joins the New York state and local~~  
 32 ~~employees' retirement system on or after January first, two thousand ten~~  
 33 ~~shall not be eligible for service retirement benefits pursuant to this~~  
 34 ~~article until such member has rendered a minimum of ten years of credit-~~  
 35 ~~ed service.]~~

36 § 4. Subdivisions a, b and b-1 of section 602 of the retirement and  
 37 social security law, subdivisions a and b as separately amended by  
 38 section 6 of part B and section 1 of part C of chapter 504 of the laws  
 39 of 2009, and subdivision b-1 as amended by chapter 18 of the laws of  
 40 2012, are amended to read as follows:

41 a. Except as provided in subdivision b-1 of this section, a member who  
 42 first joins a public retirement system of this state on or after July  
 43 first, nineteen hundred seventy-six shall not be eligible for service  
 44 retirement benefits hereunder until such member has rendered a minimum  
 45 of five years of credited service[~~, except that a member who first joins~~  
 46 ~~the New York state and local employees' retirement system or the New~~  
 47 ~~York state teachers' retirement system on or after January first, two~~  
 48 ~~thousand ten shall not be eligible for service retirement benefits~~  
 49 ~~pursuant to this article until such member has rendered a minimum of ten~~  
 50 ~~years of credited service].~~

51 b. Except as provided in subdivision b-1 of this section, a member who  
 52 previously was a member of a public retirement system of this state  
 53 shall not be eligible for service retirement benefits hereunder until  
 54 such member has rendered a minimum of five years of service which is  
 55 credited pursuant to section six hundred nine of this article. [~~A member~~  
 56 ~~who first joins the New York state and local employees' retirement~~

1 ~~system or the New York state teachers' retirement system on or after~~  
2 ~~January first, two thousand ten shall not be eligible for service~~  
3 ~~retirement benefits pursuant to this article until such member has~~  
4 ~~rendered a minimum of ten years of credited service.]~~

5 b-1. (1) Notwithstanding the provisions of subdivision a or b of this  
6 section or any other provision of law to the contrary, (i) a member of  
7 the New York city teachers' retirement system who holds a position  
8 represented by the recognized teacher organization for collective  
9 bargaining purposes, and who became subject to the provisions of this  
10 article after the effective date of this subdivision, or (ii) a member  
11 of the New York city board of education retirement system who holds a  
12 position represented by the recognized teacher organization for collec-  
13 tive bargaining purposes, and who became subject to the provisions of  
14 this article after the effective date of this subdivision, shall not be  
15 eligible for service retirement benefits hereunder until such member has  
16 rendered a minimum of [~~ten~~] five years of credited service.

17 (2) Notwithstanding the provisions of subdivision a or b of this  
18 section or any other provision of law to the contrary, a member who  
19 first joins a public retirement system of the state on or after April  
20 first, two thousand twelve shall not be eligible for service retirement  
21 benefits hereunder until such member has rendered a minimum of [~~ten~~]  
22 five years of credited service.

23 § 5. Subparagraph (ii) of paragraph 1 of subdivision d of section  
24 604-b of the retirement and social security law, as amended by chapter  
25 18 of the laws of 2012, is amended to read as follows:

26 (ii) [~~in the case of a participant who is not a New York city revised~~  
27 ~~plan member,~~] prior to such discontinuance, completed five but less than  
28 twenty-five years of allowable service in the transit authority [~~or, in~~  
29 ~~the case of a participant who is a New York city revised plan member,~~  
30 ~~has completed ten but less than twenty-five years of allowable service~~  
31 ~~in the transit authority prior to such discontinuance~~]; and

32 § 6. Subparagraph (ii) of paragraph 1 of subdivision d of section  
33 604-c of the retirement and social security law, as amended by chapter  
34 18 of the laws of 2012, is amended to read as follows:

35 (ii) [~~in the case of a participant who is not a New York city revised~~  
36 ~~plan member,~~] prior to such discontinuance, completed five but less than  
37 twenty years of credited service [~~or, in the case of a participant who~~  
38 ~~is a New York city revised plan member, has completed ten but less than~~  
39 ~~twenty years of credited service~~]; and

40 § 7. Subparagraph (ii) of paragraph 1 of subdivision d of section  
41 604-e of the retirement and social security law, as amended by section  
42 41 of chapter 18 of the laws of 2012, is amended to read as follows:

43 (ii) [~~in the case of a participant who is not a New York city revised~~  
44 ~~plan member,~~] who prior to such discontinuance, completed five but less  
45 than twenty-five years of allowable service as a dispatcher member [~~or,~~  
46 ~~in the case of a participant who is a New York city revised plan member,~~  
47 ~~who prior to such discontinuance, completed ten but less than twenty-~~  
48 ~~five years of allowable service as a dispatcher member~~]; and

49 § 8. Subparagraph (ii) of paragraph 1 of subdivision d of section  
50 604-e of the retirement and social security law, as amended by section  
51 43 of chapter 18 of the laws of 2012, is amended to read as follows:

52 (ii) [~~in the case of a participant who is not a New York city revised~~  
53 ~~plan member,~~] who prior to such discontinuance, completed five but less  
54 than twenty-five years of allowable service as an EMT member [~~or, in the~~  
55 ~~case of a participant who is a New York city revised plan member, who~~

1 ~~prior to such discontinuance, completed ten but less than twenty-five~~  
2 ~~years of allowable service as an EMT member]; and~~

3 § 9. Subparagraph (ii) of paragraph 1 of subdivision d of section  
4 604-f of the retirement and social security law, as amended by section  
5 45 of chapter 18 of the laws of 2012, is amended to read as follows:

6 (ii) [~~in the case of a participant who is not a New York city revised~~  
7 ~~plan member,]~~ who prior to such discontinuance, completed five but less  
8 than twenty-five years of credited service [~~or, in the case of a partic-~~  
9 ~~ipant who is a New York city revised plan member, who prior to such~~  
10 ~~discontinuance, completed ten but less than twenty-five years of credit-~~  
11 ~~ed service]; and~~

12 § 10. Subparagraph (ii) of paragraph 1 of subdivision d of section  
13 604-f of the retirement and social security law, as amended by section  
14 47 of chapter 18 of the laws of 2012, is amended to read as follows:

15 (ii) [~~in the case of a participant who is not a New York city revised~~  
16 ~~plan member,]~~ who prior to such discontinuance, completed five but less  
17 than twenty-five years of allowable service as a special officer, park-  
18 ing control specialist, school safety agent, campus peace officer or  
19 taxi and limousine inspector member [~~or, in the case of a participant~~  
20 ~~who is a New York city revised plan member, who prior to such discontin-~~  
21 ~~uance, completed ten but less than twenty-five years of allowable~~  
22 ~~service as a special officer, parking control specialist, school safety~~  
23 ~~agent, campus peace officer or taxi and limousine inspector member]; and~~

24 § 11. Subparagraph (ii) of paragraph 1 of subdivision d of section  
25 604-g of the retirement and social security law, as amended by chapter  
26 18 of the laws of 2012, is amended to read as follows:

27 (ii) [~~in the case of a participant who is not a New York city revised~~  
28 ~~plan member,]~~ who prior to such discontinuance, completed five but less  
29 than twenty-five years of credited service [~~or, in the case of a partic-~~  
30 ~~ipant who is a New York city revised plan member, who prior to such~~  
31 ~~discontinuance, completed ten but less than twenty-five years of credit-~~  
32 ~~ed service]; and~~

33 § 12. Subparagraph (ii) of paragraph 1 of subdivision d of section  
34 604-h of the retirement and social security law, as amended by chapter  
35 18 of the laws of 2012, is amended to read as follows:

36 (ii) [~~in the case of a participant who is not a New York city revised~~  
37 ~~plan member,]~~ who prior to such discontinuance, completed five but less  
38 than twenty-five years of credited service [~~or, in the case of a partic-~~  
39 ~~ipant who is a New York city revised plan member, who prior to such~~  
40 ~~discontinuance, completed ten but less than twenty-five years of credit-~~  
41 ~~ed service]; and~~

42 § 13. Subdivision a of section 1202 of the retirement and social secu-  
43 rity law, as added by section 1 of part A of chapter 504 of the laws of  
44 2009, is amended to read as follows:

45 a. In order to qualify for a service retirement benefit, members  
46 subject to the provisions of this article must have a minimum of [~~ten~~  
47 five] years of creditable service.

48 § 14. Nothing in this act shall be construed or deemed to allow  
49 members to receive a refund of any member contributions made prior to  
50 the effective date of this act.

51 § 15. Notwithstanding any other provision of law to the contrary, none  
52 of the provisions of this act shall be subject to section 25 of the  
53 retirement and social security law.

54 § 16. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would provide members of Tier 5 and Tier 6 in the New York State and Local Employees' Retirement System (NYSLERS) or in the New York State and Local Police and Fire Retirement System (NYSLPFRS) vested status upon attainment of 5 years of service credit. It also clarifies that these NYSLERS members will only be ineligible for a service retirement benefit prior to attaining 5 years of service credit, to align with the revised vesting requirement. Currently, these members are ineligible for a service retirement benefit prior to attaining 10 years of service credit, after which they become vested and eligible for a vested deferred benefit.

Insofar as this bill affects the NYSLERS, if this legislation is enacted during the 2022 legislative session, there would be an increase in accrued liabilities of approximately \$430 million, due to the past service accruals of tier 5 and 6 members, which would be shared by the State of New York and all local participating employers in the NYSLERS. This will increase the billing rates charged annually to all participating employers by approximately 0.2% of salary, beginning with the fiscal year ending March 31, 2023.

In addition to the cost for past service above, there would be a cost for future service accruals which would further increase the annual billing rates for tier 5 members by 0.2% of salary (for a 0.4% total annual rate increase) and further increase the annual billing rates for tier 6 members by 0.1% of salary (for a 0.3% total annual rate increase).

Insofar as this bill affects the NYSLPFRS, if this legislation is enacted during the 2022 legislative session, there would be an increase in the billing rates charged annually to the State of New York and all other participating employers in the NYSLPFRS of approximately 0.1% of salary, beginning with the fiscal year ending March 31, 2023.

These estimated costs are based on 250,109 affected members with annual salary of approximately \$11.6 billion as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 6, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-122, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

As this bill relates to the New York State Teachers' Retirement System, this bill would amend Sections 602 and 612 of the Retirement and Social Security Law by reducing the number of years of credited service



required for vesting to five years for Tier 5 and 6 members for purposes of eligibility for a service retirement benefit or a deferred-vested retirement benefit. Currently, Tier 5 and 6 members need to have ten years of credited service to be vested for a service retirement benefit or a deferred-vested retirement benefit. Members who withdraw with between five and ten years of service credit will have the option of either receiving a refund of their accumulated member contributions or receiving the deferred-vested retirement benefit when eligible.

The annual cost to the employers of members of the New York State Teachers' Retirement System for this benefit is estimated to be \$6.2 million or .04% of payroll if this bill is enacted.

The System's "new entrant rate", a hypothetical employer contribution rate that would occur if we started a new Retirement System without any assets, is equal to 4.69% of pay under the current Tier 6 benefit structure. This can be thought of as the long-term expected employer cost of Tier 6, based on the current actuarial assumptions. For the proposed change to the Tier 6 benefit structure under this bill, this new entrant rate is estimated to increase to 4.76% of pay, an increase of .07% of pay.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-36 dated April 8, 2022, prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation, as it relates to the New York City Retirement Systems (NYCRS), would amend Article 15 of the Retirement and Social Security Law (RSSL) to reduce vesting requirements for certain Tier 4 members with a membership date after December 10, 2009 and Tier 6 members of the New York City Employees' Retirement System (NYCERS), the New York City Teachers' Retirement System (NYCTRS), and the New York City Board of Education Retirement System (BERS).

Effective Date: Upon enactment.

IMPACT ON BENEFITS: Currently, Tier 6 members of NYCERS, NYCTRS, and BERS, as well as Tier 4 members of NYCTRS and BERS who held a position represented by the recognized teacher organization and who became members after December 10, 2009, need a minimum of 10 years of Credited Service to be eligible for a vested benefit. Such members are also ineligible to retire for service without at least 10 years of Credited Service.

Under the proposed legislation, if enacted, the required service for a vested benefit or service retirement benefit would be lowered to five years.

FINANCIAL IMPACT-SUMMARY: The financial impact will generally increase as the impacted populations increase over time, assuming that the demographics of new entrants remain similar to what they were historically.

The estimated financial impact of implementing the changes described above is an increase in the Present Value of Future Benefits (PVFB) and a decrease in the Present Value of member contributions. The net result is an increase in the Present Value of future employer contributions and annual employer contributions for NYCERS, NYCTRS, and BERS. A breakdown of the financial impact by System is shown in the table below.

NYCRS	Additional Present Value of Future Employer Contributions (\$ Millions)	Estimated First Year Annual Employer Contributions (\$ Millions)
NYCERS	\$110.8	\$25.8
NYCTRS	39.8	7.8
BERS	<b>30.9</b>	<b>5.0</b>
Total	\$181.5	\$38.6*

\* The increase in the employer contributions is estimated to be \$24.5 million for New York City and \$14.1 million for the other obligors of NYCERS.

In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNY), new Unfunded Accrued Liability (UAL) attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of NYCERS Tier 6 members is approximately 16-years, NYCTRS impacted members is approximately 20 years, and BERS impacted members is approximately 14 years.

For purposes of this Fiscal Note, the increase in the UAL for NYCERS was amortized over a 16-year period (15 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. Under the same methodology the increase in the UAL for NYCTRS and BERS was amortized over 19 and 13 payments, respectively.

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that the changes in the Present Value of future employer contributions and annual employer contributions would be reflected for the first time in the Final June 30, 2021 actuarial valuations of NYCERS, NYCTRS, and BERS. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

CENSUS DATA: The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuations of NYCERS, NYCTRS, and BERS to determine the Preliminary Fiscal Year 2023 employer contributions.

The table below contains a summary of the census data for the members in the plans affected by the proposed legislation as of June 30, 2021.

NYCRS	Active Count	Average Age	Average Service	Average Salary
NYCERS	71,663	41.3	3.9	\$72,000
NYCTRS	59,134	38.0	5.4	\$76,200
BERS	12,707	45.5	3.5	\$52,100

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations

used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS, NYCTRS, and BERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS, NYCTRS, and BERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

- \* The initial, additional administrative costs of NYCERS, NYCTRS, BERS, and other New York City agencies to implement the proposed legislation.

- \* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

- \* Costs associated with former members of NYCERS with five or more years of service who may become eligible to vest under the proposed legislation.

- \* The cost of potential Tax-Deferred Annuity (TDA) plan accelerated vesting.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-17 dated April 7, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System, the New York City Teachers' Retirement System, and the New York City Board of Education Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

STATE OF NEW YORK

8748

IN SENATE

April 7, 2022

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

AN ACT to amend the civil service law, the state finance law, and the retirement and social security law, in relation to compensation, benefits and other terms and conditions of employment for members of the collective negotiating unit designated as the agency police services unit; to implement an agreement between the state of New York and the employee organization representing members of the collective negotiating unit designated as the agency police services unit; making an appropriation therefor; and to repeal certain provisions of the civil service law relating thereto (Part A); and to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment for members of the district council 37 rent regulation services unit; to implement a collective bargaining agreement between the state of New York and the district council 37 rent regulation services unit; making an appropriation therefor; and to repeal certain provisions of such law relating thereto (Part B)

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

1 Section 1. This act enacts into law major components of legislation  
2 relating to compensation, benefits and other terms and conditions of  
3 employment of various units. Each component is wholly contained within a  
4 Part identified as Parts A and B. The effective date for each particular  
5 provision contained within such Part is set forth in the last section of  
6 such Part. Any provision in any section contained within a Part, includ-  
7 ing the effective date of the Part, which makes a reference to a section  
8 "of this act", when used in connection with that particular component,  
9 shall be deemed to mean and refer to the corresponding section of the  
10 Part in which it is found. Section three of this act sets forth the  
11 general effective date of this act.

12 PART A

13 COLLECTIVE BARGAINING AGREEMENT BETWEEN  
14 THE STATE OF NEW YORK AND THE AGENCY POLICE SERVICES UNIT  
15 FOR 2019 - 2023

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

LBD12039-02-2

1 Section 1. Paragraph h of subdivision 1 of section 130 of the civil  
 2 service law is REPEALED and a new paragraph h is added to read as  
 3 follows:

4 h. Pursuant to the terms of an agreement entered into pursuant to  
 5 article fourteen of the civil service law between the state and an  
 6 employee organization covering members of the collective negotiating  
 7 unit designated as the agency police services unit, effective on the  
 8 dates indicated, salary grades for such unit members shall be as  
 9 follows:

10 (1) Effective April first, two thousand nineteen:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
	<u>Hir-</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>ing</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>SG</u>	<u>Rate</u>					
16	<u>1</u>	<u>31025</u>	<u>32117</u>	<u>33209</u>	<u>34301</u>	<u>35393</u>
17	<u>2</u>	<u>31976</u>	<u>33126</u>	<u>34276</u>	<u>35426</u>	<u>37726</u>
18	<u>3</u>	<u>33300</u>	<u>34500</u>	<u>35700</u>	<u>36900</u>	<u>38100</u>
19	<u>4</u>	<u>34574</u>	<u>35840</u>	<u>37106</u>	<u>38372</u>	<u>39638</u>
20	<u>5</u>	<u>35977</u>	<u>37307</u>	<u>38637</u>	<u>39967</u>	<u>41297</u>
21	<u>6</u>	<u>37600</u>	<u>38998</u>	<u>40396</u>	<u>41794</u>	<u>43192</u>
22	<u>7</u>	<u>39445</u>	<u>40902</u>	<u>42359</u>	<u>43816</u>	<u>45273</u>
23	<u>8</u>	<u>41391</u>	<u>42904</u>	<u>44417</u>	<u>45930</u>	<u>47443</u>
24	<u>9</u>	<u>43421</u>	<u>44998</u>	<u>46575</u>	<u>48152</u>	<u>49729</u>
25	<u>10</u>	<u>45607</u>	<u>47267</u>	<u>48927</u>	<u>50587</u>	<u>52247</u>
26	<u>11</u>	<u>48007</u>	<u>49734</u>	<u>51461</u>	<u>53188</u>	<u>54915</u>
27	<u>12</u>	<u>50398</u>	<u>52200</u>	<u>54002</u>	<u>55804</u>	<u>57606</u>
28	<u>13</u>	<u>53110</u>	<u>54992</u>	<u>56874</u>	<u>58756</u>	<u>60638</u>
29	<u>14</u>	<u>55877</u>	<u>57851</u>	<u>59825</u>	<u>61799</u>	<u>63773</u>
30	<u>15</u>	<u>58804</u>	<u>60857</u>	<u>62910</u>	<u>64963</u>	<u>67016</u>
31	<u>16</u>	<u>61841</u>	<u>63985</u>	<u>66129</u>	<u>68273</u>	<u>70417</u>
32	<u>17</u>	<u>65036</u>	<u>67295</u>	<u>69554</u>	<u>71813</u>	<u>74072</u>
33	<u>18</u>	<u>68451</u>	<u>70823</u>	<u>73195</u>	<u>75567</u>	<u>77939</u>
34	<u>19</u>	<u>71910</u>	<u>74388</u>	<u>76866</u>	<u>79344</u>	<u>81822</u>
35	<u>20</u>	<u>75343</u>	<u>77931</u>	<u>80519</u>	<u>83107</u>	<u>85695</u>
36	<u>21</u>	<u>79127</u>	<u>81826</u>	<u>84525</u>	<u>87224</u>	<u>89923</u>
37	<u>22</u>	<u>83089</u>	<u>85948</u>	<u>88807</u>	<u>91666</u>	<u>94525</u>
38	<u>23</u>	<u>87312</u>	<u>90251</u>	<u>93190</u>	<u>96129</u>	<u>99068</u>
39	<u>24</u>	<u>91761</u>	<u>94810</u>	<u>97859</u>	<u>100908</u>	<u>103957</u>
40	<u>25</u>	<u>96601</u>	<u>99781</u>	<u>102961</u>	<u>106141</u>	<u>109321</u>

						<u>Long</u>
			<u>10-yr.</u>	<u>15-yr.</u>	<u>20-yr.</u>	<u>Max.</u>
		<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
	<u>Job</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
<u>SG</u>	<u>Rate</u>					
46	<u>1</u>	<u>37577</u>	<u>1092</u>	<u>39208</u>	<u>40838</u>	<u>43999</u>
47	<u>2</u>	<u>38876</u>	<u>1150</u>	<u>40602</u>	<u>42328</u>	<u>45580</u>
48	<u>3</u>	<u>40500</u>	<u>1200</u>	<u>42300</u>	<u>44100</u>	<u>47429</u>
49	<u>4</u>	<u>42170</u>	<u>1266</u>	<u>44064</u>	<u>45959</u>	<u>49378</u>
50	<u>5</u>	<u>43957</u>	<u>1330</u>	<u>45949</u>	<u>47941</u>	<u>51460</u>
51	<u>6</u>	<u>45988</u>	<u>1398</u>	<u>48086</u>	<u>50184</u>	<u>53811</u>
52	<u>7</u>	<u>48187</u>	<u>1457</u>	<u>50368</u>	<u>52549</u>	<u>56258</u>
53	<u>8</u>	<u>50469</u>	<u>1513</u>	<u>52735</u>	<u>55000</u>	<u>58795</u>
54	<u>9</u>	<u>52883</u>	<u>1577</u>	<u>55255</u>	<u>57624</u>	<u>61520</u>

1	<u>10</u>	<u>55567</u>	<u>1660</u>	<u>58051</u>	<u>60533</u>	<u>64541</u>	<u>67025</u>
2	<u>11</u>	<u>58369</u>	<u>1727</u>	<u>60954</u>	<u>63535</u>	<u>67652</u>	<u>70238</u>
3	<u>12</u>	<u>61210</u>	<u>1802</u>	<u>63914</u>	<u>66618</u>	<u>70852</u>	<u>73556</u>
4	<u>13</u>	<u>64402</u>	<u>1882</u>	<u>67218</u>	<u>70034</u>	<u>74382</u>	<u>77198</u>
5	<u>14</u>	<u>67721</u>	<u>1974</u>	<u>70672</u>	<u>73621</u>	<u>78104</u>	<u>81054</u>
6	<u>15</u>	<u>71122</u>	<u>2053</u>	<u>74196</u>	<u>77270</u>	<u>81874</u>	<u>84946</u>
7	<u>16</u>	<u>74705</u>	<u>2144</u>	<u>77919</u>	<u>81133</u>	<u>85871</u>	<u>89082</u>
8	<u>17</u>	<u>78590</u>	<u>2259</u>	<u>81970</u>	<u>85351</u>	<u>90260</u>	<u>93641</u>
9	<u>18</u>	<u>82683</u>	<u>2372</u>	<u>86236</u>	<u>89789</u>	<u>94875</u>	<u>98432</u>
10	<u>19</u>	<u>86778</u>	<u>2478</u>	<u>90489</u>	<u>94200</u>	<u>99437</u>	<u>103148</u>
11	<u>20</u>	<u>90871</u>	<u>2588</u>	<u>94755</u>	<u>98639</u>	<u>104046</u>	<u>107932</u>
12	<u>21</u>	<u>95321</u>	<u>2699</u>	<u>99369</u>	<u>103420</u>	<u>108991</u>	<u>113037</u>
13	<u>22</u>	<u>100243</u>	<u>2859</u>	<u>104523</u>	<u>108802</u>	<u>114609</u>	<u>118890</u>
14	<u>23</u>	<u>104946</u>	<u>2939</u>	<u>109355</u>	<u>113766</u>	<u>119702</u>	<u>124111</u>
15	<u>24</u>	<u>110055</u>	<u>3049</u>	<u>114625</u>	<u>119195</u>	<u>125297</u>	<u>129866</u>
16	<u>25</u>	<u>115681</u>	<u>3180</u>	<u>120448</u>	<u>125216</u>	<u>131507</u>	<u>136273</u>

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

	<u>Hir-</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
	<u>ing</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
	<u>Rate</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>5</u>	
23	<u>1</u>	<u>31646</u>	<u>32760</u>	<u>33874</u>	<u>34988</u>	<u>36102</u>	<u>37216</u>
24	<u>2</u>	<u>32616</u>	<u>33789</u>	<u>34962</u>	<u>36135</u>	<u>37308</u>	<u>38481</u>
25	<u>3</u>	<u>33966</u>	<u>35190</u>	<u>36414</u>	<u>37638</u>	<u>38862</u>	<u>40086</u>
26	<u>4</u>	<u>35265</u>	<u>36556</u>	<u>37847</u>	<u>39138</u>	<u>40429</u>	<u>41720</u>
27	<u>5</u>	<u>36697</u>	<u>38054</u>	<u>39411</u>	<u>40768</u>	<u>42125</u>	<u>43482</u>
28	<u>6</u>	<u>38352</u>	<u>39778</u>	<u>41204</u>	<u>42630</u>	<u>44056</u>	<u>45482</u>
29	<u>7</u>	<u>40234</u>	<u>41720</u>	<u>43206</u>	<u>44692</u>	<u>46178</u>	<u>47664</u>
30	<u>8</u>	<u>42219</u>	<u>43762</u>	<u>45305</u>	<u>46848</u>	<u>48391</u>	<u>49934</u>
31	<u>9</u>	<u>44289</u>	<u>45898</u>	<u>47507</u>	<u>49116</u>	<u>50725</u>	<u>52334</u>
32	<u>10</u>	<u>46519</u>	<u>48212</u>	<u>49905</u>	<u>51598</u>	<u>53291</u>	<u>54984</u>
33	<u>11</u>	<u>48967</u>	<u>50729</u>	<u>52491</u>	<u>54253</u>	<u>56015</u>	<u>57777</u>
34	<u>12</u>	<u>51406</u>	<u>53244</u>	<u>55082</u>	<u>56920</u>	<u>58758</u>	<u>60596</u>
35	<u>13</u>	<u>54172</u>	<u>56092</u>	<u>58012</u>	<u>59932</u>	<u>61852</u>	<u>63772</u>
36	<u>14</u>	<u>56995</u>	<u>59008</u>	<u>61021</u>	<u>63034</u>	<u>65047</u>	<u>67060</u>
37	<u>15</u>	<u>59980</u>	<u>62074</u>	<u>64168</u>	<u>66262</u>	<u>68356</u>	<u>70450</u>
38	<u>16</u>	<u>63078</u>	<u>65265</u>	<u>67452</u>	<u>69639</u>	<u>71826</u>	<u>74013</u>
39	<u>17</u>	<u>66337</u>	<u>68641</u>	<u>70945</u>	<u>73249</u>	<u>75553</u>	<u>77857</u>
40	<u>18</u>	<u>69820</u>	<u>72240</u>	<u>74660</u>	<u>77080</u>	<u>79500</u>	<u>81920</u>
41	<u>19</u>	<u>73348</u>	<u>75876</u>	<u>78404</u>	<u>80932</u>	<u>83460</u>	<u>85988</u>
42	<u>20</u>	<u>76850</u>	<u>79490</u>	<u>82130</u>	<u>84770</u>	<u>87410</u>	<u>90050</u>
43	<u>21</u>	<u>80710</u>	<u>83463</u>	<u>86216</u>	<u>88969</u>	<u>91722</u>	<u>94475</u>
44	<u>22</u>	<u>84751</u>	<u>87667</u>	<u>90583</u>	<u>93499</u>	<u>96415</u>	<u>99331</u>
45	<u>23</u>	<u>89058</u>	<u>92056</u>	<u>95054</u>	<u>98052</u>	<u>101050</u>	<u>104048</u>
46	<u>24</u>	<u>93596</u>	<u>96706</u>	<u>99816</u>	<u>102926</u>	<u>106036</u>	<u>109146</u>
47	<u>25</u>	<u>98533</u>	<u>101777</u>	<u>105021</u>	<u>108265</u>	<u>111509</u>	<u>114753</u>
48						<u>Long</u>	
49						<u>Max.</u>	
50				<u>10-yr.</u>	<u>15-yr.</u>	<u>20-yr.</u>	<u>25-yr.</u>
51	<u>Job</u>	<u>Perf.</u>		<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
52	<u>SG</u>	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
53	<u>1</u>	<u>38330</u>	<u>1114</u>	<u>39994</u>	<u>41656</u>	<u>44880</u>	<u>46545</u>

1	<u>2</u>	<u>39654</u>	<u>1173</u>	<u>41415</u>	<u>43175</u>	<u>46492</u>	<u>48256</u>
2	<u>3</u>	<u>41310</u>	<u>1224</u>	<u>43146</u>	<u>44982</u>	<u>48378</u>	<u>50215</u>
3	<u>4</u>	<u>43011</u>	<u>1291</u>	<u>44943</u>	<u>46876</u>	<u>50363</u>	<u>52291</u>
4	<u>5</u>	<u>44839</u>	<u>1357</u>	<u>46871</u>	<u>48903</u>	<u>52492</u>	<u>54524</u>
5	<u>6</u>	<u>46908</u>	<u>1426</u>	<u>49048</u>	<u>51188</u>	<u>54887</u>	<u>57029</u>
6	<u>7</u>	<u>49150</u>	<u>1486</u>	<u>51375</u>	<u>53599</u>	<u>57382</u>	<u>59607</u>
7	<u>8</u>	<u>51477</u>	<u>1543</u>	<u>53788</u>	<u>56099</u>	<u>59970</u>	<u>62285</u>
8	<u>9</u>	<u>53943</u>	<u>1609</u>	<u>56362</u>	<u>58779</u>	<u>62753</u>	<u>65167</u>
9	<u>10</u>	<u>56677</u>	<u>1693</u>	<u>59211</u>	<u>61742</u>	<u>65830</u>	<u>68364</u>
10	<u>11</u>	<u>59539</u>	<u>1762</u>	<u>62176</u>	<u>64808</u>	<u>69008</u>	<u>71645</u>
11	<u>12</u>	<u>62434</u>	<u>1838</u>	<u>65192</u>	<u>67950</u>	<u>72269</u>	<u>75027</u>
12	<u>13</u>	<u>65692</u>	<u>1920</u>	<u>68564</u>	<u>71437</u>	<u>75872</u>	<u>78744</u>
13	<u>14</u>	<u>69073</u>	<u>2013</u>	<u>72083</u>	<u>75091</u>	<u>79664</u>	<u>82673</u>
14	<u>15</u>	<u>72544</u>	<u>2094</u>	<u>75679</u>	<u>78815</u>	<u>83511</u>	<u>86644</u>
15	<u>16</u>	<u>76200</u>	<u>2187</u>	<u>79478</u>	<u>82757</u>	<u>87589</u>	<u>90865</u>
16	<u>17</u>	<u>80161</u>	<u>2304</u>	<u>83609</u>	<u>87057</u>	<u>92064</u>	<u>95513</u>
17	<u>18</u>	<u>84340</u>	<u>2420</u>	<u>87964</u>	<u>91588</u>	<u>96776</u>	<u>100404</u>
18	<u>19</u>	<u>88516</u>	<u>2528</u>	<u>92301</u>	<u>96086</u>	<u>101428</u>	<u>105213</u>
19	<u>20</u>	<u>92690</u>	<u>2640</u>	<u>96652</u>	<u>100613</u>	<u>106129</u>	<u>110092</u>
20	<u>21</u>	<u>97228</u>	<u>2753</u>	<u>101357</u>	<u>105489</u>	<u>111171</u>	<u>115298</u>
21	<u>22</u>	<u>102247</u>	<u>2916</u>	<u>106613</u>	<u>110977</u>	<u>116900</u>	<u>121267</u>
22	<u>23</u>	<u>107046</u>	<u>2998</u>	<u>111543</u>	<u>116042</u>	<u>122097</u>	<u>126594</u>
23	<u>24</u>	<u>112256</u>	<u>3110</u>	<u>116917</u>	<u>121579</u>	<u>127803</u>	<u>132463</u>
24	<u>25</u>	<u>117997</u>	<u>3244</u>	<u>122859</u>	<u>127723</u>	<u>134140</u>	<u>139001</u>

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

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
<u>SG</u>							
26	<u>1</u>	<u>32279</u>	<u>33415</u>	<u>34551</u>	<u>35687</u>	<u>36823</u>	<u>37959</u>
27	<u>2</u>	<u>33268</u>	<u>34465</u>	<u>35662</u>	<u>36859</u>	<u>38056</u>	<u>39253</u>
28	<u>3</u>	<u>34645</u>	<u>35894</u>	<u>37143</u>	<u>38392</u>	<u>39641</u>	<u>40890</u>
29	<u>4</u>	<u>35970</u>	<u>37287</u>	<u>38604</u>	<u>39921</u>	<u>41238</u>	<u>42555</u>
30	<u>5</u>	<u>37431</u>	<u>38815</u>	<u>40199</u>	<u>41583</u>	<u>42967</u>	<u>44351</u>
31	<u>6</u>	<u>39119</u>	<u>40574</u>	<u>42029</u>	<u>43484</u>	<u>44939</u>	<u>46394</u>
32	<u>7</u>	<u>41039</u>	<u>42555</u>	<u>44071</u>	<u>45587</u>	<u>47103</u>	<u>48619</u>
33	<u>8</u>	<u>43063</u>	<u>44637</u>	<u>46211</u>	<u>47785</u>	<u>49359</u>	<u>50933</u>
34	<u>9</u>	<u>45175</u>	<u>46816</u>	<u>48457</u>	<u>50098</u>	<u>51739</u>	<u>53380</u>
35	<u>10</u>	<u>47449</u>	<u>49176</u>	<u>50903</u>	<u>52630</u>	<u>54357</u>	<u>56084</u>
36	<u>11</u>	<u>49946</u>	<u>51743</u>	<u>53540</u>	<u>55337</u>	<u>57134</u>	<u>58931</u>
37	<u>12</u>	<u>52434</u>	<u>54309</u>	<u>56184</u>	<u>58059</u>	<u>59934</u>	<u>61809</u>
38	<u>13</u>	<u>55255</u>	<u>57214</u>	<u>59173</u>	<u>61132</u>	<u>63091</u>	<u>65050</u>
39	<u>14</u>	<u>58135</u>	<u>60188</u>	<u>62241</u>	<u>64294</u>	<u>66347</u>	<u>68400</u>
40	<u>15</u>	<u>61180</u>	<u>63316</u>	<u>65452</u>	<u>67588</u>	<u>69724</u>	<u>71860</u>
41	<u>16</u>	<u>64340</u>	<u>66571</u>	<u>68802</u>	<u>71033</u>	<u>73264</u>	<u>75495</u>
42	<u>17</u>	<u>67664</u>	<u>70014</u>	<u>72364</u>	<u>74714</u>	<u>77064</u>	<u>79414</u>
43	<u>18</u>	<u>71216</u>	<u>73685</u>	<u>76154</u>	<u>78623</u>	<u>81092</u>	<u>83561</u>
44	<u>19</u>	<u>74815</u>	<u>77394</u>	<u>79973</u>	<u>82552</u>	<u>85131</u>	<u>87710</u>
45	<u>20</u>	<u>78387</u>	<u>81080</u>	<u>83773</u>	<u>86466</u>	<u>89159</u>	<u>91852</u>
46	<u>21</u>	<u>82324</u>	<u>85132</u>	<u>87940</u>	<u>90748</u>	<u>93556</u>	<u>96364</u>
47	<u>22</u>	<u>86446</u>	<u>89420</u>	<u>92394</u>	<u>95368</u>	<u>98342</u>	<u>101316</u>
48	<u>23</u>	<u>90839</u>	<u>93897</u>	<u>96955</u>	<u>100013</u>	<u>103071</u>	<u>106129</u>

1	<u>24</u>	<u>95468</u>	<u>98640</u>	<u>101812</u>	<u>104984</u>	<u>108156</u>	<u>111328</u>
2	<u>25</u>	<u>100504</u>	<u>103813</u>	<u>107122</u>	<u>110431</u>	<u>113740</u>	<u>117049</u>
3							<u>Long</u>
4							<u>Max.</u>
5				<u>10-yr.</u>	<u>15-yr.</u>	<u>20-yr.</u>	<u>25-yr.</u>
6		<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
7	<u>SG</u>	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
8	<u>1</u>	<u>39095</u>	<u>1136</u>	<u>40792</u>	<u>42488</u>	<u>45776</u>	<u>47474</u>
9	<u>2</u>	<u>40450</u>	<u>1197</u>	<u>42246</u>	<u>44041</u>	<u>47425</u>	<u>49224</u>
10	<u>3</u>	<u>42139</u>	<u>1249</u>	<u>44012</u>	<u>45884</u>	<u>49348</u>	<u>51222</u>
11	<u>4</u>	<u>43872</u>	<u>1317</u>	<u>45843</u>	<u>47814</u>	<u>51371</u>	<u>53338</u>
12	<u>5</u>	<u>45735</u>	<u>1384</u>	<u>47808</u>	<u>49880</u>	<u>53541</u>	<u>55614</u>
13	<u>6</u>	<u>47849</u>	<u>1455</u>	<u>50032</u>	<u>52215</u>	<u>55988</u>	<u>58172</u>
14	<u>7</u>	<u>50135</u>	<u>1516</u>	<u>52405</u>	<u>54673</u>	<u>58532</u>	<u>60801</u>
15	<u>8</u>	<u>52507</u>	<u>1574</u>	<u>54864</u>	<u>57221</u>	<u>61170</u>	<u>63531</u>
16	<u>9</u>	<u>55021</u>	<u>1641</u>	<u>57488</u>	<u>59954</u>	<u>64007</u>	<u>66469</u>
17	<u>10</u>	<u>57811</u>	<u>1727</u>	<u>60396</u>	<u>62977</u>	<u>67147</u>	<u>69732</u>
18	<u>11</u>	<u>60728</u>	<u>1797</u>	<u>63418</u>	<u>66102</u>	<u>70386</u>	<u>73076</u>
19	<u>12</u>	<u>63684</u>	<u>1875</u>	<u>66497</u>	<u>69310</u>	<u>73716</u>	<u>76529</u>
20	<u>13</u>	<u>67009</u>	<u>1959</u>	<u>69938</u>	<u>72869</u>	<u>77393</u>	<u>80322</u>
21	<u>14</u>	<u>70453</u>	<u>2053</u>	<u>73523</u>	<u>76591</u>	<u>81256</u>	<u>84325</u>
22	<u>15</u>	<u>73996</u>	<u>2136</u>	<u>77194</u>	<u>80392</u>	<u>85182</u>	<u>88378</u>
23	<u>16</u>	<u>77726</u>	<u>2231</u>	<u>81070</u>	<u>84414</u>	<u>89343</u>	<u>92684</u>
24	<u>17</u>	<u>81764</u>	<u>2350</u>	<u>85281</u>	<u>88798</u>	<u>93905</u>	<u>97423</u>
25	<u>18</u>	<u>86030</u>	<u>2469</u>	<u>89726</u>	<u>93423</u>	<u>98715</u>	<u>102415</u>
26	<u>19</u>	<u>90289</u>	<u>2579</u>	<u>94150</u>	<u>98010</u>	<u>103459</u>	<u>107320</u>
27	<u>20</u>	<u>94545</u>	<u>2693</u>	<u>98586</u>	<u>102626</u>	<u>108253</u>	<u>112295</u>
28	<u>21</u>	<u>99172</u>	<u>2808</u>	<u>103384</u>	<u>107598</u>	<u>113394</u>	<u>117603</u>
29	<u>22</u>	<u>104290</u>	<u>2974</u>	<u>108743</u>	<u>113195</u>	<u>119236</u>	<u>123690</u>
30	<u>23</u>	<u>109187</u>	<u>3058</u>	<u>113774</u>	<u>118363</u>	<u>124539</u>	<u>129126</u>
31	<u>24</u>	<u>114500</u>	<u>3172</u>	<u>119254</u>	<u>124009</u>	<u>130358</u>	<u>135111</u>
32	<u>25</u>	<u>120358</u>	<u>3309</u>	<u>125317</u>	<u>130279</u>	<u>136824</u>	<u>141782</u>

33 (4) Effective April first, two thousand twenty-two:

34		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
35		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
36		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
37		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
38	<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
39	<u>1</u>	<u>32925</u>	<u>34084</u>	<u>35243</u>	<u>36402</u>	<u>37561</u>
40	<u>2</u>	<u>33933</u>	<u>35154</u>	<u>36375</u>	<u>37596</u>	<u>38817</u>
41	<u>3</u>	<u>35338</u>	<u>36612</u>	<u>37886</u>	<u>39160</u>	<u>40434</u>
42	<u>4</u>	<u>36689</u>	<u>38032</u>	<u>39375</u>	<u>40718</u>	<u>42061</u>
43	<u>5</u>	<u>38180</u>	<u>39592</u>	<u>41004</u>	<u>42416</u>	<u>43828</u>
44	<u>6</u>	<u>39901</u>	<u>41385</u>	<u>42869</u>	<u>44353</u>	<u>45837</u>
45	<u>7</u>	<u>41860</u>	<u>43406</u>	<u>44952</u>	<u>46498</u>	<u>48044</u>
46	<u>8</u>	<u>43924</u>	<u>45530</u>	<u>47136</u>	<u>48742</u>	<u>50348</u>
47	<u>9</u>	<u>46079</u>	<u>47753</u>	<u>49427</u>	<u>51101</u>	<u>52775</u>
48	<u>10</u>	<u>48398</u>	<u>50160</u>	<u>51922</u>	<u>53684</u>	<u>55446</u>
49	<u>11</u>	<u>50945</u>	<u>52778</u>	<u>54611</u>	<u>56444</u>	<u>58277</u>
50	<u>12</u>	<u>53483</u>	<u>55396</u>	<u>57309</u>	<u>59222</u>	<u>61135</u>
51	<u>13</u>	<u>56360</u>	<u>58358</u>	<u>60356</u>	<u>62354</u>	<u>64352</u>
52	<u>14</u>	<u>59298</u>	<u>61392</u>	<u>63486</u>	<u>65580</u>	<u>67674</u>
53	<u>15</u>	<u>62404</u>	<u>64583</u>	<u>66762</u>	<u>68941</u>	<u>71120</u>



1	<u>16</u>	<u>65627</u>	<u>67903</u>	<u>70179</u>	<u>72455</u>	<u>74731</u>	<u>77007</u>
2	<u>17</u>	<u>69017</u>	<u>71414</u>	<u>73811</u>	<u>76208</u>	<u>78605</u>	<u>81002</u>
3	<u>18</u>	<u>72640</u>	<u>75159</u>	<u>77678</u>	<u>80197</u>	<u>82716</u>	<u>85235</u>
4	<u>19</u>	<u>76311</u>	<u>78942</u>	<u>81573</u>	<u>84204</u>	<u>86835</u>	<u>89466</u>
5	<u>20</u>	<u>79955</u>	<u>82702</u>	<u>85449</u>	<u>88196</u>	<u>90943</u>	<u>93690</u>
6	<u>21</u>	<u>83970</u>	<u>86834</u>	<u>89698</u>	<u>92562</u>	<u>95426</u>	<u>98290</u>
7	<u>22</u>	<u>88175</u>	<u>91209</u>	<u>94243</u>	<u>97277</u>	<u>100311</u>	<u>103345</u>
8	<u>23</u>	<u>92656</u>	<u>95775</u>	<u>98894</u>	<u>102013</u>	<u>105132</u>	<u>108251</u>
9	<u>24</u>	<u>97377</u>	<u>100613</u>	<u>103849</u>	<u>107085</u>	<u>110321</u>	<u>113557</u>
10	<u>25</u>	<u>102514</u>	<u>105889</u>	<u>109264</u>	<u>112639</u>	<u>116014</u>	<u>119389</u>

				<u>10-yr.</u>	<u>15-yr.</u>	<u>20-yr.</u>	<u>Long</u>
				<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Max.</u>
	<u>Job</u>	<u>Perf.</u>		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>Rate</u>	<u>Adv.</u>					
<u>SG</u>							
16	<u>1</u>	<u>39879</u>	<u>1159</u>	<u>41610</u>	<u>43340</u>	<u>46694</u>	<u>48426</u>
17	<u>2</u>	<u>41259</u>	<u>1221</u>	<u>43091</u>	<u>44922</u>	<u>48374</u>	<u>50208</u>
18	<u>3</u>	<u>42982</u>	<u>1274</u>	<u>44892</u>	<u>46802</u>	<u>50335</u>	<u>52247</u>
19	<u>4</u>	<u>44747</u>	<u>1343</u>	<u>46757</u>	<u>48768</u>	<u>52396</u>	<u>54402</u>
20	<u>5</u>	<u>46652</u>	<u>1412</u>	<u>48766</u>	<u>50880</u>	<u>54614</u>	<u>56729</u>
21	<u>6</u>	<u>48805</u>	<u>1484</u>	<u>51032</u>	<u>53258</u>	<u>57107</u>	<u>59334</u>
22	<u>7</u>	<u>51136</u>	<u>1546</u>	<u>53451</u>	<u>55765</u>	<u>59701</u>	<u>62015</u>
23	<u>8</u>	<u>53560</u>	<u>1606</u>	<u>55964</u>	<u>58368</u>	<u>62396</u>	<u>64804</u>
24	<u>9</u>	<u>56123</u>	<u>1674</u>	<u>58639</u>	<u>61155</u>	<u>65289</u>	<u>67800</u>
25	<u>10</u>	<u>58970</u>	<u>1762</u>	<u>61607</u>	<u>64239</u>	<u>68493</u>	<u>71129</u>
26	<u>11</u>	<u>61943</u>	<u>1833</u>	<u>64687</u>	<u>67424</u>	<u>71794</u>	<u>74538</u>
27	<u>12</u>	<u>64961</u>	<u>1913</u>	<u>67830</u>	<u>70700</u>	<u>75194</u>	<u>78063</u>
28	<u>13</u>	<u>68348</u>	<u>1998</u>	<u>71336</u>	<u>74325</u>	<u>78940</u>	<u>81927</u>
29	<u>14</u>	<u>71862</u>	<u>2094</u>	<u>74993</u>	<u>78123</u>	<u>82881</u>	<u>86011</u>
30	<u>15</u>	<u>75478</u>	<u>2179</u>	<u>78740</u>	<u>82002</u>	<u>86888</u>	<u>90148</u>
31	<u>16</u>	<u>79283</u>	<u>2276</u>	<u>82694</u>	<u>86105</u>	<u>91132</u>	<u>94540</u>
32	<u>17</u>	<u>83399</u>	<u>2397</u>	<u>86986</u>	<u>90574</u>	<u>95783</u>	<u>99371</u>
33	<u>18</u>	<u>87754</u>	<u>2519</u>	<u>91524</u>	<u>95295</u>	<u>100693</u>	<u>104467</u>
34	<u>19</u>	<u>92097</u>	<u>2631</u>	<u>96035</u>	<u>99972</u>	<u>105530</u>	<u>109469</u>
35	<u>20</u>	<u>96437</u>	<u>2747</u>	<u>100559</u>	<u>104680</u>	<u>110419</u>	<u>114542</u>
36	<u>21</u>	<u>101154</u>	<u>2864</u>	<u>105450</u>	<u>109749</u>	<u>115660</u>	<u>119954</u>
37	<u>22</u>	<u>106379</u>	<u>3034</u>	<u>110921</u>	<u>115462</u>	<u>121624</u>	<u>126167</u>
38	<u>23</u>	<u>111370</u>	<u>3119</u>	<u>116049</u>	<u>120730</u>	<u>127029</u>	<u>131708</u>
39	<u>24</u>	<u>116793</u>	<u>3236</u>	<u>121642</u>	<u>126492</u>	<u>132968</u>	<u>137816</u>
40	<u>25</u>	<u>122764</u>	<u>3375</u>	<u>127822</u>	<u>132883</u>	<u>139559</u>	<u>144616</u>

41 § 2. Subdivision 2 of section 207-d of the state finance law, as  
 42 amended by section 2 of part VV of chapter 55 of the laws of 2021, is  
 43 amended to read as follows:

44 2. Where and to the extent that an agreement between the state and an  
 45 employee organization entered into pursuant to article fourteen of the  
 46 civil service law or an interest arbitration award issued pursuant to  
 47 subdivision four of section two hundred nine of the civil service law  
 48 between the state and an employee organization so provides on behalf of  
 49 employees in the collective negotiating unit designated as the agency  
 50 police services unit established pursuant to article fourteen of the  
 51 civil service law, and upon audit and warrant of the comptroller, the  
 52 director shall provide for the payment of moneys to such employee organ-  
 53 ization for the establishment and maintenance of an employee benefit  
 54 fund established by the employee organization for the employees in the

1 negotiating unit covered by the controlling provision of such agreement  
 2 or award providing for such employee benefit fund, such amount to be  
 3 determined consistent with said agreement or award on the basis of the  
 4 number of full-time annual salaried employees, as determined by the  
 5 comptroller, [~~on the payroll on March first, two thousand fifteen for  
 6 payments to be made on April first, two thousand fifteen, on the payroll  
 7 on March first, two thousand sixteen for payments to be made on April  
 8 first, two thousand sixteen, on the payroll on March first, two thousand  
 9 seventeen for payments to be made on April first, two thousand seven-  
 10 teen, and on the payroll on March first, two thousand eighteen for  
 11 payments to be made on April first, two thousand eighteen~~] on the  
 12 payroll on March first, two thousand nineteen for payments to be made on  
 13 April first, two thousand nineteen, on the payroll on March first, two  
 14 thousand twenty for payments to be made on April first, two thousand  
 15 twenty, on the payroll on March first, two thousand twenty-one for  
 16 payments to be made on April first, two thousand twenty-one, and on the  
 17 payroll on March first, two thousand twenty-two for payments to be  
 18 made on April first, two thousand twenty-two. The amount, which will be  
 19 determined pursuant to this section, for employees who are paid from  
 20 special or administrative funds, other than the general fund or the  
 21 capital projects fund of the state, will be paid from the appropriations  
 22 as provided by law, in which case the comptroller will establish proce-  
 23 dures to ensure repayment from said special or administrative funds. The  
 24 director shall enter into an agreement with an employee organization  
 25 which sets forth the specific terms and conditions for the establishment  
 26 and administration of an employee benefit fund as a condition for the  
 27 transmittal of moneys pursuant to this section.

28 § 3. Paragraph 1 of subdivision j of section 41 of the retirement and  
 29 social security law, as amended by chapter 18 of the laws of 2012, is  
 30 amended to read as follows:

31 1. In addition to any other service credit to which he or she is enti-  
 32 tled, a member who meets the requirements set forth in paragraphs two  
 33 and three of this subdivision shall be granted one day of additional  
 34 service credit for each day of accumulated unused sick leave which he or  
 35 she has at time of retirement for service, but such credit shall not (a)  
 36 exceed one hundred sixty-five days, (b) be considered in meeting any  
 37 service or age requirements prescribed in this chapter, and (c) be  
 38 considered in computing final average salary. However, for an executive  
 39 branch member designated managerial or confidential pursuant to article  
 40 fourteen of the civil service law or in the collective negotiating units  
 41 established by article fourteen of the civil service law designated the  
 42 professional, scientific and technical services unit, the rent regu-  
 43 lation services negotiating unit, the security services negotiating  
 44 unit, the security supervisors negotiating unit, the state university  
 45 professional services negotiating unit, the administrative services  
 46 negotiating unit, the institutional services negotiating unit, the oper-  
 47 ational services negotiating unit and the division of military and naval  
 48 affairs negotiating unit and, effective on and after June twenty-sev-  
 49 enth, two thousand seventeen for the agency police services unit such  
 50 service credit limitation provided in subparagraph (a) of this paragraph  
 51 shall not exceed two hundred days. For a nonjudicial officer or employ-  
 52 ee of the unified court system not in a collective negotiating unit or  
 53 in a collective negotiating unit specified in section one of chapter two  
 54 hundred three of the laws of two thousand four, for employees of the New  
 55 York state dormitory authority, for employees of the New York state  
 56 thruway authority, the New York state canal corporation and the state

1 university construction fund and for employees of the New York liqui-  
2 dation bureau such service credit limitation provided in subparagraph  
3 (a) of this paragraph shall not exceed two hundred days. For members who  
4 first become members of a public retirement system of the state on or  
5 after April first, two thousand twelve, such credit shall not exceed one  
6 hundred days.

7 § 4. Paragraph 1 of subdivision j of section 341 of the retirement and  
8 social security law, as amended by chapter 244 of the laws of 2002, is  
9 amended to read as follows:

10 1. In addition to any other service credit to which he or she is enti-  
11 tled, a member who meets the requirements set forth in paragraphs two  
12 and three of this subdivision shall be granted one day of additional  
13 service credit for each day of accumulated unused sick leave which he or  
14 she has at time of retirement for service, but such credit shall not (a)  
15 exceed one hundred sixty-five days, (b) be considered in meeting any  
16 service or age requirements prescribed in this chapter, and (c) be  
17 considered in computing final average salary. However, for a member of  
18 the collective negotiating units established by article fourteen of the  
19 civil service law designated the security services negotiating unit  
20 [~~and~~], the security supervisors negotiating unit and effective on and  
21 after June twenty-seventh, two thousand seventeen, the agency police  
22 services unit such service credit limitation provided in subparagraph  
23 (a) of this paragraph shall not exceed two hundred days.

24 § 5. Compensation for members of the collective negotiating unit  
25 designated as agency police services unit pursuant to an agreement  
26 between the state of New York and the employee organization representing  
27 such individuals or an interest arbitration award binding the state of  
28 New York and the employee organization representing such individuals.

29 1. The provisions of this section shall apply to all full-time offi-  
30 cers and employees in the collective negotiating unit designated as the  
31 agency police services unit established pursuant to article 14 of the  
32 civil service law.

33 2. Effective April 1, 2019, the basic annual salary of all members of  
34 the agency police services unit who were in full-time annual salaried  
35 employment status on March 31, 2019 shall be increased by two percent.

36 3. Effective April 1, 2020, the basic annual salary of all members of  
37 the agency police services unit who were in full-time annual salaried  
38 employment status on March 31, 2020 shall be increased by two percent.

39 4. Effective April 1, 2021, the basic annual salary of all members of  
40 the agency police services unit who were in full-time annual salaried  
41 employment status on March 31, 2021 shall be increased by two percent.

42 5. Effective April 1, 2022, the basic annual salary of all members of  
43 the agency police services unit who were in full-time annual salaried  
44 employment status on March 31, 2022 shall be increased by two percent.

45 6. Advancement within salary grade. Payments pursuant to the  
46 provisions of subdivision 6 of section 131 of the civil service law for  
47 members of the agency police services unit shall be payable pursuant to  
48 the terms of an agreement between the state and an employee organization  
49 representing employees subject to the provisions of this section.

50 7. Effective April 1, 2015, pursuant to the terms of an agreement  
51 covering members of the agency police services unit, for such unit  
52 members who are on the institutional payroll, the ten-year, the  
53 fifteen-year, the twenty-year, and the twenty-five-year longevity step  
54 payment for such unit members to whom the provisions of this section  
55 apply shall be that amount prescribed by paragraph h of subdivision 1 of

1 section 130 of the civil service law, as added by section one of this  
2 act.

3 8. Notwithstanding any of the foregoing provisions of this section, if  
4 the basic annual salary of such unit members to whom the provisions of  
5 this section apply is identical with the hiring rate, performance  
6 advance step one, two, three, four or five, the job rate, the ten-year  
7 longevity step, the fifteen-year longevity step, the twenty-year longev-  
8 ity step or the twenty-five-year longevity step of his or her position  
9 on the effective dates of the increases provided in this section, such  
10 basic annual salary shall be increased to the hiring rate, performance  
11 advance step one, two, three, four or five, the job rate, the ten-year  
12 longevity step, the fifteen-year longevity step, the twenty-year longev-  
13 ity step or the twenty-five-year longevity step, respectively, of such  
14 salary grade as contained in the appropriate salary schedule in subpara-  
15 graphs (1), (2), (3), and (4) of paragraph h of subdivision 1 of section  
16 130 of the civil service law, as added by section one of this act, to  
17 take effect on the dates provided in subparagraphs (1), (2), (3), and  
18 (4), respectively. The increases in basic annual salary provided by  
19 this subdivision shall be in lieu of any increase in basic annual salary  
20 provided for in subdivisions two, three, four and five of this section.

21 9. If an unencumbered position is one which if encumbered, would be  
22 subject to the provisions of this section, the salary of such position  
23 shall be increased by the salary increase amounts specified in this  
24 section. If a position is created and is filled by the appointment of  
25 such unit members to whom the provisions of this section apply, the  
26 salary otherwise provided for such position shall be increased in the  
27 same manner as though such position had been in existence but unencum-  
28 bered. Notwithstanding the provisions of this section, the director of  
29 the budget may reduce the salary of any such position, which is or  
30 becomes vacant.

31 10. The increases in salary payable pursuant to this section shall  
32 apply on a prorated basis to officers and employees, otherwise eligible  
33 to receive an increase in salary pursuant to this section, who are paid  
34 on an hourly or per diem basis, employees serving on a part-time or  
35 seasonal basis and employees paid on any basis other than at an annual  
36 salaried rate; except that the provisions of subdivision eleven or  
37 twelve of this section shall not apply to employees serving on an hour-  
38 ly, per diem, or seasonal basis, except as determined by the director of  
39 the budget.

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

43 12. In order to provide for the officers and employees to whom this  
44 section applies who are not allocated to salary grades, performance  
45 advancements and payments in proportion to those provided to persons to  
46 whom this section applies who are allocated to salary grades, the direc-  
47 tor of the budget is authorized to add appropriate adjustments to the  
48 compensation which such officers and employees are otherwise entitled to  
49 receive. The director of the budget shall issue certificates which shall  
50 contain schedules of positions and the salaries thereof for which  
51 adjustments are made pursuant to the provisions of this subdivision, and  
52 a copy of each such certificate shall be filed with the state comp-  
53 troller, the department of civil service, the chairman of the senate  
54 finance committee and the chairman of the assembly ways and means  
55 committee.

1 13. Notwithstanding any of the foregoing provisions of this section,  
2 any increase in compensation may be withheld in whole or in part from  
3 any such unit members to whom the provisions of this section apply when,  
4 in the opinion of the director of the division of the budget and the  
5 director of employee relations, such increase is not warranted or is not  
6 appropriate.

7 § 6. Additional compensation for certain members of the agency police  
8 services collective negotiating unit. 1. In recognition of the general  
9 requirement for full-time employees of the state in the agency police  
10 services unit to assemble for briefing prior to the commencement of  
11 duties, where and to the extent an agreement so provides, each such  
12 employee except such an employee receiving additional compensation  
13 pursuant to subdivision 5 of section 134 of the civil service law, shall  
14 continue to receive additional compensation in recognition of pre-shift  
15 briefing at one and one-half times the hourly rate of pay provided for  
16 by subdivision 1 of section 134 of the civil service law and the rules  
17 and regulations of the director of the budget.

18 2. Members of the agency police services collective negotiating unit  
19 who are full-time annual salaried and are police officers pursuant to  
20 subdivision 34 of section 1.20 of the criminal procedure law, who are  
21 required, authorized and actually assemble for pre-shift briefing or  
22 line up before the commencement of their regular tour of duty shall  
23 continue to be paid for pre-shift briefing. However, employees of the  
24 department of environmental conservation who do not physically line up  
25 shall be paid the equivalent of pre-shift compensation for vehicle,  
26 equipment, office maintenance, and the handling of phone calls and home  
27 visitations received and instigated outside of the regular workday. This  
28 payment supplants any payments made to such employees for equipment  
29 storage. There shall be no payment of pre-shift briefing for any day in  
30 which any employee who is a member of the agency police services unit,  
31 full-time annual salaried and a police officer pursuant to subdivision  
32 34 of section 1.20 of the criminal procedure law is not physically  
33 reporting to work. There shall be no change in the payment for pre-shift  
34 briefing for all other members of the agency police services unit.

35 3. Any such additional compensation pursuant to this section shall be  
36 paid in addition to and shall not be a part of such employee's basic  
37 annual salary and shall not be included as compensation for the purposes  
38 of computation of overtime pay, provided, however, that such additional  
39 compensation shall be included for retirement purposes. Notwithstanding  
40 the foregoing provisions of this section or of any other law, such addi-  
41 tional compensation as added by this section shall be in lieu of the  
42 continuation of any other additional compensation for such unit members  
43 in recognition of pre-shift briefing.

44 § 7. Clothing allowance. Effective April 1, 2019, pursuant to the  
45 terms of an agreement covering members of the agency police services  
46 collective negotiating unit who are full-time annual salaried and are  
47 classified as investigators or detectives, in recognition of the general  
48 requirement for such unit members to whom the provisions of this section  
49 apply to wear professional attire, each such employee who is on the  
50 payroll on the first day of November preceding the annual effective date  
51 shall continue to receive a clothing allowance at a rate of four hundred  
52 dollars per year effective December 1, 2011.

53 § 8. Location pay. 1. Pursuant to the terms of an agreement covering  
54 members of the agency police services collective negotiating unit, and  
55 notwithstanding any inconsistent provision of law, effective April 1,  
56 2019, all members of this unit who are full-time annual salaried employ-

1 ees and whose principal place of employment, or, in the case of a field  
 2 employee, whose official station is determined in accordance with the  
 3 regulations of the state comptroller, is located in the city of New  
 4 York, or in the county of Rockland, Westchester, Nassau, or Suffolk  
 5 shall continue to receive location pay in the amount of fifteen hundred  
 6 twenty dollars. Effective April 1, 2020, this amount shall increase to  
 7 fifteen hundred fifty dollars. Effective April 1, 2021, this amount  
 8 shall increase to fifteen hundred eighty-one dollars. Effective April 1,  
 9 2022, the amount shall increase to sixteen hundred thirteen dollars.

10 2. The location pay as set out in this section shall be in addition to  
 11 and shall not be a part of an employee's basic annual salary, and shall  
 12 not affect or impair any performance advance or other rights or benefits  
 13 to which an employee may be entitled by law, provided, however, that  
 14 location pay shall be included as compensation for the purposes of  
 15 computation of overtime pay and for retirement purposes. This payment  
 16 will be equally divided over the twenty-six payroll periods in each  
 17 fiscal year.

18 § 9. Supplemental location pay. 1. Pursuant to the terms of an agree-  
 19 ment covering members of the agency police services collective negotiat-  
 20 ing unit, and notwithstanding any inconsistent provision of law, all  
 21 members of this unit who are full-time annual salaried employees and  
 22 whose principal place of employment, or, in the case of a field employ-  
 23 ee, whose official station is determined in accordance with the regu-  
 24 lations of the state comptroller, is located in the city of New York, or  
 25 in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau  
 26 or Suffolk, shall continue to receive supplemental location pay, in the  
 27 following amounts:

	Orange/Putnam/ Dutchess	NYC/Rockland/ Westchester	Nassau/ Suffolk
28 Effective April 1, 2019	\$1,266	\$1,900	\$2,217
30 Effective April 1, 2020	\$1,291	\$1,938	\$2,261
31 Effective April 1, 2021	\$1,317	\$1,977	\$2,306
32 Effective April 1, 2022	\$1,343	\$2,017	\$2,352

34 2. The supplemental location pay as set out in this section shall be  
 35 in addition to and shall not be a part of an employee's basic annual  
 36 salary and shall not affect or impair any performance advance or other  
 37 rights or benefits to which an employee may be entitled by law;  
 38 provided, however, that supplemental location pay shall be included as  
 39 compensation for the purposes of computation of overtime pay and for  
 40 retirement purposes. This payment will be equally divided over the twen-  
 41 ty-six payroll periods in each fiscal year.

42 § 10. Expanded duty pay. Pursuant to the terms of an agreement or  
 43 award covering members of the agency police services collective negoti-  
 44 ating unit who are full-time annual salaried employees, in recognition  
 45 of the additional and continued duties and responsibilities performed by  
 46 the police officers in this unit as a result of the September 11th  
 47 terrorist attacks, and notwithstanding any provision of law, rule or  
 48 regulation to the contrary, members of this unit, effective April 1,  
 49 2019, shall continue to receive expanded duty pay in the amount of three  
 50 thousand eight hundred and twenty-five dollars. Effective April 1, 2022,  
 51 this amount shall increase to five thousand dollars.

52 Expanded duty pay as set out in this section shall be in addition to  
 53 and shall not be a part of an employee's basic annual salary and shall  
 54 not affect or impair any performance advance or other rights or benefits

1 to which an employee may be entitled by law; provided, however, that  
2 expanded duty pay shall be included as compensation for the purposes of  
3 computation of overtime pay and for retirement purposes. This payment  
4 will be equally divided over the twenty-six payroll periods in each  
5 fiscal year. Effective with the first academy class enrolled subsequent  
6 to ratification of the 2019-2023 collective bargaining agreement,  
7 expanded duty pay shall not be paid to such individuals until the begin-  
8 ning of the first pay period following their one-year anniversary of  
9 employment.

10 § 11. Marine/off-road enforcement pay. Pursuant to the terms of an  
11 agreement covering members of the agency police services collective  
12 negotiating unit who are full-time annual salaried employees, effective  
13 April 1, 2019, all members of this unit who are employed by the office  
14 of parks, recreation and historic preservation or the department of  
15 environmental conservation shall continue to receive one thousand five  
16 hundred dollars per year in recognition of their expertise in marine and  
17 off-road enforcement. Marine/off-road enforcement pay as set out in this  
18 section shall be in addition to and shall not be a part of an employee's  
19 basic annual salary, and shall not affect or impair any performance  
20 advance or other rights or benefits to which an employee may be entitled  
21 by law; provided, however, that marine/off-road enforcement pay shall be  
22 included as compensation for the purposes of computation of overtime pay  
23 and for retirement purposes. This payment will be equally divided over  
24 the twenty-six payroll periods in each fiscal year. Effective with the  
25 first academy class enrolled subsequent to ratification of the 2019-2023  
26 collective bargaining agreement, marine/off-road enforcement pay shall  
27 not be paid to such individuals until the beginning of the first pay  
28 period following their one-year anniversary of employment.

29 § 12. Hazardous material pay. 1. Pursuant to the terms of an agreement  
30 covering members of the agency police services collective negotiating  
31 unit who are full-time annual salaried employees, effective April 1,  
32 2019, all members who are employed by the department of environmental  
33 conservation, except for those in the forest ranger title series, shall  
34 continue to receive one thousand five hundred dollars per year in recog-  
35 nition of their expertise and handling of hazardous materials. Hazard-  
36 ous material pay as set out in this section shall be in addition to and  
37 shall not be a part of an employee's basic annual salary, and shall not  
38 affect or impair any performance advance or other rights or benefits to  
39 which an employee may be entitled by law; provided, however, that  
40 hazardous material pay shall be included as compensation for the  
41 purposes of computation of overtime pay and for retirement purposes.  
42 This payment will be equally divided over the twenty-six payroll periods  
43 in each fiscal year. Effective with the first academy class enrolled  
44 subsequent to ratification of the 2019-2023 collective bargaining agree-  
45 ment, hazardous material pay shall not be paid to such individuals until  
46 the beginning of the first pay period following their one-year anniver-  
47 sary of employment.

48 2. Hazardous material/fire management/search and rescue pay. Pursuant  
49 to the terms of an agreement covering members of the agency police  
50 services collective negotiating unit who are full-time annual salaried  
51 employees, effective April 1, 2015, all members who are employed by the  
52 department of environmental conservation in the forest ranger title  
53 series shall continue to receive one thousand five hundred dollars per  
54 year in recognition of their expertise and handling of hazardous materi-  
55 als. Hazardous material/fire management/search and rescue pay as set out  
56 in this section shall be in addition to and shall not be a part of an

1 employee's basic annual salary, and shall not affect or impair any  
2 performance advance or other rights or benefits to which an employee may  
3 be entitled by law; provided, however, that hazardous material/fire  
4 management/search and rescue pay shall be included as compensation for  
5 the purposes of computation of overtime pay and for retirement purposes.  
6 This payment will be equally divided over the twenty-six payroll periods  
7 in each fiscal year. Effective with the first academy class enrolled  
8 subsequent to ratification of the 2019-2023 collective bargaining agree-  
9 ment, hazardous material/fire management/search and rescue pay shall not  
10 be paid to such individuals until the beginning of the first pay period  
11 following their one-year anniversary of employment.

12 § 13. Effective with the first academy class enrolled subsequent to  
13 ratification of the 2019-2023 collective bargaining agreement, the two  
14 hundred dollar payment to individuals who complete their initial train-  
15 ing shall be eliminated.

16 § 14. Fifteen years of service pay. Notwithstanding any provision of  
17 law to the contrary, pursuant to the terms of the agreement negotiated  
18 between the state and the employee organization representing the agency  
19 police services unit, effective April 1, 2021, all members of the unit  
20 who have fifteen years of service in the agency police services unit,  
21 including service in any predecessor units, shall receive a payment of  
22 twelve hundred dollars. Such payment shall be annualized and paid  
23 during regular bi-weekly periods. Such payment shall be in addition to,  
24 and shall not be a part of, a member's annual basic salary, and shall  
25 not affect or impair any increments or other rights or benefits to which  
26 the member may be entitled; provided, however, that the payment shall be  
27 included as compensation for purposes of computation of overtime pay and  
28 for retirement purposes. Such amount shall also be included for such  
29 eligible employees in the calculation of premium pay for those members  
30 who receive such pay.

31 § 15. Inconvenience pay program. Pursuant to chapter 333 of the laws  
32 of 1969, as amended, and an agreement negotiated between the state and  
33 the employee organization representing members of the agency police  
34 services unit, effective April 1, 2019, members of the agency police  
35 services unit shall continue to receive inconvenience pay in the amount  
36 of five hundred ninety-seven dollars. Any such additional compensation  
37 pursuant to this section shall be included as compensation for retire-  
38 ment purposes.

39 § 16. During the period April 1, 2019 through March 31, 2023 or as  
40 otherwise agreed, there shall be a statewide joint labor-management  
41 committee continued and administered pursuant to the terms of the agree-  
42 ment negotiated between, or an interest arbitration award binding the  
43 state and the employee organization representing employees in the  
44 collective negotiating unit designated as the agency police services  
45 unit established pursuant to article 14 of the civil service law which  
46 shall, with the amounts available therefore, study and make recommenda-  
47 tions concerning major issues of employee assistance, performance evalu-  
48 ation, education and training, quality of work life, health benefits,  
49 and provide for the implementation of the terms of agreements of such  
50 committees.

51 § 17. Notwithstanding any provision of law to the contrary, the appro-  
52 priations contained in this act shall be available to the state for the  
53 payment and publication of grievance and arbitration settlements and  
54 awards pursuant to articles 7 and 8 of the collective negotiating agree-  
55 ment between the state and the employee organization representing the



1 collective negotiating unit designated as the agency police services  
2 unit established pursuant to article 14 of the civil service law.

3 § 18. Notwithstanding any provision of law, rule or regulation to the  
4 contrary, and where and to the extent an agreement negotiated between  
5 the state and the employee organization representing employees in the  
6 agency police services collective negotiating unit established pursuant  
7 to article 14 of the civil service law so provides, the salaries of  
8 newly hired employees on or after September 1, 1992 into state service  
9 in positions within said negotiating unit shall not be subject to the  
10 provisions of subdivision 2-a of section 200 of the state finance law.

11 § 19. Date of entitlement to salary increase. Notwithstanding the  
12 provisions of this act or of any other provision of law to the contrary,  
13 the increase in salary or compensation provided by this act of any  
14 member of the agency police services collective negotiating unit estab-  
15 lished pursuant to article 14 of the civil service law who are full-time  
16 annual salaried employees and are police officers pursuant to subdivi-  
17 sion 34 of section 1.20 of the criminal procedure law shall be added to  
18 the salary of such member at the beginning of that payroll period, the  
19 first day of which is nearest to the effective date of such increase as  
20 provided in this act, or at the beginning of the earlier of two payroll  
21 periods, the first days of which are nearest but equally near to the  
22 effective date of such increase as provided in this act; provided,  
23 however, that, for the purposes of determining the salary of such unit  
24 members upon reclassification, reallocation, appointment, promotion,  
25 transfer, demotion, reinstatement, or other change of status, such sala-  
26 ry increase shall be deemed to be effective on the date thereof as  
27 prescribed by this act, with payment thereof pursuant to this section on  
28 a date prior thereto, instead of on such effective date, and shall not  
29 operate to confer any additional salary rights or benefits on such unit  
30 members. Payment of such salary increase may be deferred pursuant to  
31 section twenty of this act.

32 § 20. Deferred payment of salary increases. Notwithstanding the  
33 provisions of any other section of this act or of any other provision of  
34 law to the contrary, pending payment pursuant to this act of the basic  
35 annual salaries of incumbents of positions subject to this act, such  
36 incumbents shall receive, as partial compensation for services rendered,  
37 the rate of salary and other compensation otherwise payable in their  
38 respective positions. An incumbent holding a position subject to this  
39 act at any time during the period from April 1, 2019, until the time  
40 when basic annual salaries and other compensation due are first paid  
41 pursuant to this act for such services in excess of the salary and other  
42 compensation actually received therefor, shall be entitled to a lump sum  
43 payment for the difference between the salary and other compensation to  
44 which such incumbent is entitled for such services and the salary and  
45 other compensation actually received. Notwithstanding any law, rule or  
46 regulation to the contrary, no member of the agency police services unit  
47 to whom the provisions of this act apply shall be entitled to, or owed,  
48 any interest or other penalty for any reason on any monies due to such  
49 member pursuant to the terms of this act and the terms of the agreement  
50 or interest arbitration award covering employees in the agency police  
51 services unit.

52 § 21. Use of appropriations. Notwithstanding any provision of the  
53 state finance law or any other provision of law to the contrary, the  
54 state comptroller is authorized to pay any amounts required during the  
55 fiscal year commencing April 1, 2022 by the provisions of this act for  
56 any state department or agency from any appropriation or other funds

1 available to such state department or agency for personal service or for  
 2 other related employee benefits during such fiscal year. To the extent  
 3 that such appropriations are insufficient in any fund to accomplish the  
 4 purposes herein set forth, the director of the budget is authorized to  
 5 allocate to the various departments and agencies, from any appropri-  
 6 ations available in any fund, the amounts necessary to pay such amounts.  
 7 The aforementioned appropriations shall be available for payment of any  
 8 liabilities or obligations incurred prior to April 1, 2022, in addition  
 9 to current liabilities.

10 § 22. Notwithstanding any provision of the state finance law or any  
 11 other provision of law to the contrary, the sum of thirty-four million  
 12 dollars (\$34,000,000) is hereby appropriated in the general fund/state  
 13 purposes account (10050) in miscellaneous-all state departments and  
 14 agencies solely for apportionment/transfer by the director of the budget  
 15 for use by any state department or agency in any fund for the period  
 16 April 1, 2019 through March 31, 2023 to supplement appropriations for  
 17 personal service, other than personal service and fringe benefits, and  
 18 to carry out the provisions of this act. No money shall be available for  
 19 expenditure from this appropriation until a certificate of approval has  
 20 been issued by the director of the budget and a copy of such certificate  
 21 or any amendment thereto has been filed with the state comptroller, the  
 22 chair of the senate finance committee and the chair of the assembly ways  
 23 and means committee. The monies hereby appropriated are available for  
 24 payment of any liabilities or obligations incurred prior to or during  
 25 the period April 1, 2019 through March 31, 2023. For this purpose, the  
 26 monies appropriated shall remain in full force and effect for the  
 27 payment of liabilities incurred on or before March 31, 2023.

28 § 23. Notwithstanding any provision of the state finance law or any  
 29 other provision of law to the contrary, the several amounts as herein-  
 30 after set forth, or so much thereof as may be necessary, are hereby  
 31 appropriated from the fund so designated for use by any state department  
 32 or agency for the period April 1, 2019 through March 31, 2023 to supple-  
 33 ment appropriations from each respective fund available for other than  
 34 personal service and fringe benefits, and to carry out the provisions of  
 35 this act. The monies hereby appropriated are available for the payment  
 36 of any liabilities or obligations incurred prior to or during the period  
 37 commencing April 1, 2019 through March 31, 2023. No money shall be  
 38 available for expenditure from the monies appropriated until a certif-  
 39 icate of approval has been issued by the director of the budget and a  
 40 copy of such certificate or any amendment thereto has been filed with  
 41 the state comptroller, the chair of the senate finance committee and the  
 42 chair of the assembly ways and means committee. Notwithstanding the  
 43 provisions of any other section of this act, the salary increases, and  
 44 lump sum payments provided for in this act shall not be implemented  
 45 until the director of employee relations has delivered notice to the  
 46 director of the budget and the comptroller a letter certifying that  
 47 there is in effect with respect to such negotiating unit a collectively  
 48 negotiated agreement, ratified by the membership, which provides for  
 49 such increases and modifications, and which are fully executed in writ-  
 50 ing with the state pursuant to article 14 of the civil service law.

51 ALL STATE DEPARTMENTS AND AGENCIES  
 52 SPECIAL PAY BILLS

53 General Fund / State Operations  
 54 State Purposes Account - 003

1 NONPERSONAL SERVICE

2	Joint committee on health benefits .....	\$18,000
3	Contract administration .....	\$30,000
4	Education and Training .....	\$99,000
5	Education and Training - Management Directed .....	\$61,000
6	Employee Assistance Program .....	\$15,000
7	Organizational Alcohol Program .....	\$24,000
8	Legal Defense Fund .....	\$10,000
9	Quality of Work Life Initiatives .....	\$73,000
10	Employee Benefit Fund .....	\$218,000

11 § 24. This act shall take effect immediately and shall be deemed to  
12 have been in full force and effect on and after April 1, 2019. Appro-  
13 priations made by this act shall remain in full force and effect for  
14 liabilities incurred through March 31, 2023.

15 -----  
16 REPEAL NOTE: Subparagraphs 1, 2, 3 and 4 of paragraph h of subdivision  
17 1 of section 130 of the civil service law are REPEALED by section 1 of  
18 this act and are replaced with new subparagraphs 1, 2, 3 and 4.

19 PART B

20 COLLECTIVE BARGAINING AGREEMENT BETWEEN  
21 THE STATE OF NEW YORK AND THE DISTRICT COUNCIL 37 RENT REGULATION  
22 SERVICES UNIT  
23 FOR 2021 - 2023

24 Section 1. Subparagraphs 1, 2, 3, 4 and 5 of paragraph e of subdivi-  
25 sion 1 of section 130 of the civil service law are REPEALED and two new  
26 subparagraphs 1 and 2 are added to read as follows:

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

28	<u>SG</u>	<u>HR</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>JR</u>	<u>INCR</u>	<u>JR</u>
29			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>			<u>INC</u>
30	<u>1</u>	<u>25825</u>	<u>26696</u>	<u>27567</u>	<u>28438</u>	<u>29309</u>	<u>30180</u>	<u>31051</u>	<u>31922</u>	<u>871</u>	<u>871</u>
31	<u>2</u>	<u>26811</u>	<u>27725</u>	<u>28639</u>	<u>29553</u>	<u>30467</u>	<u>31381</u>	<u>32295</u>	<u>33216</u>	<u>914</u>	<u>921</u>
32	<u>3</u>	<u>28150</u>	<u>29106</u>	<u>30062</u>	<u>31018</u>	<u>31974</u>	<u>32930</u>	<u>33886</u>	<u>34835</u>	<u>956</u>	<u>949</u>
33	<u>4</u>	<u>29379</u>	<u>30390</u>	<u>31401</u>	<u>32412</u>	<u>33423</u>	<u>34434</u>	<u>35445</u>	<u>36456</u>	<u>1011</u>	<u>1011</u>
34	<u>5</u>	<u>30785</u>	<u>31844</u>	<u>32903</u>	<u>33962</u>	<u>35021</u>	<u>36080</u>	<u>37139</u>	<u>38198</u>	<u>1059</u>	<u>1059</u>
35	<u>6</u>	<u>32507</u>	<u>33607</u>	<u>34707</u>	<u>35807</u>	<u>36907</u>	<u>38007</u>	<u>39107</u>	<u>40214</u>	<u>1100</u>	<u>1107</u>
36	<u>7</u>	<u>34304</u>	<u>35458</u>	<u>36612</u>	<u>37766</u>	<u>38920</u>	<u>40074</u>	<u>41228</u>	<u>42389</u>	<u>1154</u>	<u>1161</u>
37	<u>8</u>	<u>36239</u>	<u>37438</u>	<u>38637</u>	<u>39836</u>	<u>41035</u>	<u>42234</u>	<u>43433</u>	<u>44625</u>	<u>1199</u>	<u>1192</u>
38	<u>9</u>	<u>38257</u>	<u>39510</u>	<u>40763</u>	<u>42016</u>	<u>43269</u>	<u>44522</u>	<u>45775</u>	<u>47028</u>	<u>1253</u>	<u>1253</u>
39	<u>10</u>	<u>40446</u>	<u>41760</u>	<u>43074</u>	<u>44388</u>	<u>45702</u>	<u>47016</u>	<u>48330</u>	<u>49637</u>	<u>1314</u>	<u>1307</u>
40	<u>11</u>	<u>42792</u>	<u>44171</u>	<u>45550</u>	<u>46929</u>	<u>48308</u>	<u>49687</u>	<u>51066</u>	<u>52438</u>	<u>1379</u>	<u>1372</u>
41	<u>12</u>	<u>45241</u>	<u>46668</u>	<u>48095</u>	<u>49522</u>	<u>50949</u>	<u>52376</u>	<u>53803</u>	<u>55223</u>	<u>1427</u>	<u>1420</u>
42	<u>13</u>	<u>47923</u>	<u>49416</u>	<u>50909</u>	<u>52402</u>	<u>53895</u>	<u>55388</u>	<u>56881</u>	<u>58374</u>	<u>1493</u>	<u>1493</u>
43	<u>14</u>	<u>50697</u>	<u>52251</u>	<u>53805</u>	<u>55359</u>	<u>56913</u>	<u>58467</u>	<u>60021</u>	<u>61575</u>	<u>1554</u>	<u>1554</u>
44	<u>15</u>	<u>53641</u>	<u>55260</u>	<u>56879</u>	<u>58498</u>	<u>60117</u>	<u>61736</u>	<u>63355</u>	<u>64981</u>	<u>1619</u>	<u>1626</u>
45	<u>16</u>	<u>56646</u>	<u>58340</u>	<u>60034</u>	<u>61728</u>	<u>63422</u>	<u>65116</u>	<u>66810</u>	<u>68511</u>	<u>1694</u>	<u>1701</u>
46	<u>17</u>	<u>59834</u>	<u>61624</u>	<u>63414</u>	<u>65204</u>	<u>66994</u>	<u>68784</u>	<u>70574</u>	<u>72364</u>	<u>1790</u>	<u>1790</u>
47	<u>18</u>	<u>60069</u>	<u>62129</u>	<u>64189</u>	<u>66249</u>	<u>68309</u>	<u>70369</u>	<u>72429</u>	<u>76387</u>	<u>2060</u>	<u>3958</u>
48	<u>19</u>	<u>63325</u>	<u>65472</u>	<u>67619</u>	<u>69766</u>	<u>71913</u>	<u>74060</u>	<u>76207</u>	<u>80429</u>	<u>2147</u>	<u>4222</u>
49	<u>20</u>	<u>66566</u>	<u>68808</u>	<u>71050</u>	<u>73292</u>	<u>75534</u>	<u>77776</u>	<u>80018</u>	<u>84450</u>	<u>2242</u>	<u>4432</u>
50	<u>21</u>	<u>70094</u>	<u>72430</u>	<u>74766</u>	<u>77102</u>	<u>79438</u>	<u>81774</u>	<u>84110</u>	<u>88877</u>	<u>2336</u>	<u>4767</u>

1	<u>22</u>	<u>73863</u>	<u>76298</u>	<u>78733</u>	<u>81168</u>	<u>83603</u>	<u>86038</u>	<u>88473</u>	<u>93519</u>	<u>2435</u>	<u>5046</u>
2	<u>23</u>	<u>77771</u>	<u>80304</u>	<u>82837</u>	<u>85370</u>	<u>87903</u>	<u>90436</u>	<u>92969</u>	<u>98372</u>	<u>2533</u>	<u>5403</u>
3	<u>24</u>	<u>81912</u>	<u>84546</u>	<u>87180</u>	<u>89814</u>	<u>92448</u>	<u>95082</u>	<u>97716</u>	<u>103405</u>	<u>2634</u>	<u>5689</u>
4	<u>25</u>	<u>86432</u>	<u>89177</u>	<u>91922</u>	<u>94667</u>	<u>97412</u>	<u>100157</u>	<u>102902</u>	<u>108935</u>	<u>2745</u>	<u>6033</u>
5	<u>26</u>	<u>90984</u>	<u>93839</u>	<u>96694</u>	<u>99549</u>	<u>102404</u>	<u>105259</u>	<u>108114</u>	<u>114357</u>	<u>2855</u>	<u>6243</u>
6	<u>27</u>	<u>95910</u>	<u>98917</u>	<u>101924</u>	<u>104931</u>	<u>107938</u>	<u>110945</u>	<u>113952</u>	<u>120454</u>	<u>3007</u>	<u>6502</u>
7	<u>28</u>	<u>100959</u>	<u>104083</u>	<u>107207</u>	<u>110331</u>	<u>113455</u>	<u>116579</u>	<u>119703</u>	<u>126437</u>	<u>3124</u>	<u>6734</u>
8	<u>29</u>	<u>106252</u>	<u>109494</u>	<u>112736</u>	<u>115978</u>	<u>119220</u>	<u>122462</u>	<u>125704</u>	<u>132689</u>	<u>3242</u>	<u>6985</u>
9	<u>30</u>	<u>111803</u>	<u>115166</u>	<u>118529</u>	<u>121892</u>	<u>125255</u>	<u>128618</u>	<u>131981</u>	<u>139202</u>	<u>3363</u>	<u>7221</u>
10	<u>31</u>	<u>117762</u>	<u>121252</u>	<u>124742</u>	<u>128232</u>	<u>131722</u>	<u>135212</u>	<u>138702</u>	<u>146179</u>	<u>3490</u>	<u>7477</u>
11	<u>32</u>	<u>124025</u>	<u>127631</u>	<u>131237</u>	<u>134843</u>	<u>138449</u>	<u>142055</u>	<u>145661</u>	<u>153401</u>	<u>3606</u>	<u>7740</u>

12 (2) Effective April sixth, two thousand twenty-two:

13	<u>SG</u>	<u>HR</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>STEP</u>	<u>JR</u>	<u>INCR</u>	<u>JR</u>
14			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>			<u>INC</u>
15	<u>1</u>	<u>26342</u>	<u>27231</u>	<u>28120</u>	<u>29009</u>	<u>29898</u>	<u>30787</u>	<u>31676</u>	<u>32558</u>	<u>889</u>	<u>882</u>
16	<u>2</u>	<u>27347</u>	<u>28279</u>	<u>29211</u>	<u>30143</u>	<u>31075</u>	<u>32007</u>	<u>32939</u>	<u>33878</u>	<u>932</u>	<u>939</u>
17	<u>3</u>	<u>28713</u>	<u>29688</u>	<u>30663</u>	<u>31638</u>	<u>32613</u>	<u>33588</u>	<u>34563</u>	<u>35531</u>	<u>975</u>	<u>968</u>
18	<u>4</u>	<u>29967</u>	<u>30998</u>	<u>32029</u>	<u>33060</u>	<u>34091</u>	<u>35122</u>	<u>36153</u>	<u>37184</u>	<u>1031</u>	<u>1031</u>
19	<u>5</u>	<u>31401</u>	<u>32481</u>	<u>33561</u>	<u>34641</u>	<u>35721</u>	<u>36801</u>	<u>37881</u>	<u>38961</u>	<u>1080</u>	<u>1080</u>
20	<u>6</u>	<u>33157</u>	<u>34279</u>	<u>35401</u>	<u>36523</u>	<u>37645</u>	<u>38767</u>	<u>39889</u>	<u>41018</u>	<u>1122</u>	<u>1129</u>
21	<u>7</u>	<u>34990</u>	<u>36167</u>	<u>37344</u>	<u>38521</u>	<u>39698</u>	<u>40875</u>	<u>42052</u>	<u>43236</u>	<u>1177</u>	<u>1184</u>
22	<u>8</u>	<u>36964</u>	<u>38187</u>	<u>39410</u>	<u>40633</u>	<u>41856</u>	<u>43079</u>	<u>44302</u>	<u>45518</u>	<u>1223</u>	<u>1216</u>
23	<u>9</u>	<u>39022</u>	<u>40300</u>	<u>41578</u>	<u>42856</u>	<u>44134</u>	<u>45412</u>	<u>46690</u>	<u>47968</u>	<u>1278</u>	<u>1278</u>
24	<u>10</u>	<u>41255</u>	<u>42595</u>	<u>43935</u>	<u>45275</u>	<u>46615</u>	<u>47955</u>	<u>49295</u>	<u>50628</u>	<u>1340</u>	<u>1333</u>
25	<u>11</u>	<u>43648</u>	<u>45055</u>	<u>46462</u>	<u>47869</u>	<u>49276</u>	<u>50683</u>	<u>52090</u>	<u>53490</u>	<u>1407</u>	<u>1400</u>
26	<u>12</u>	<u>46146</u>	<u>47601</u>	<u>49056</u>	<u>50511</u>	<u>51966</u>	<u>53421</u>	<u>54876</u>	<u>56324</u>	<u>1455</u>	<u>1448</u>
27	<u>13</u>	<u>48881</u>	<u>50404</u>	<u>51927</u>	<u>53450</u>	<u>54973</u>	<u>56496</u>	<u>58019</u>	<u>59542</u>	<u>1523</u>	<u>1523</u>
28	<u>14</u>	<u>51711</u>	<u>53296</u>	<u>54881</u>	<u>56466</u>	<u>58051</u>	<u>59636</u>	<u>61221</u>	<u>62806</u>	<u>1585</u>	<u>1585</u>
29	<u>15</u>	<u>54714</u>	<u>56366</u>	<u>58018</u>	<u>59670</u>	<u>61322</u>	<u>62974</u>	<u>64626</u>	<u>66278</u>	<u>1652</u>	<u>1652</u>
30	<u>16</u>	<u>57779</u>	<u>59507</u>	<u>61235</u>	<u>62963</u>	<u>64691</u>	<u>66419</u>	<u>68147</u>	<u>69882</u>	<u>1728</u>	<u>1735</u>
31	<u>17</u>	<u>61031</u>	<u>62857</u>	<u>64683</u>	<u>66509</u>	<u>68335</u>	<u>70161</u>	<u>71987</u>	<u>73813</u>	<u>1826</u>	<u>1826</u>
32	<u>18</u>	<u>61270</u>	<u>63372</u>	<u>65474</u>	<u>67576</u>	<u>69678</u>	<u>71780</u>	<u>73882</u>	<u>77912</u>	<u>2102</u>	<u>4030</u>
33	<u>19</u>	<u>64592</u>	<u>66782</u>	<u>68972</u>	<u>71162</u>	<u>73352</u>	<u>75542</u>	<u>77732</u>	<u>82036</u>	<u>2190</u>	<u>4304</u>
34	<u>20</u>	<u>67897</u>	<u>70184</u>	<u>72471</u>	<u>74758</u>	<u>77045</u>	<u>79332</u>	<u>81619</u>	<u>86140</u>	<u>2287</u>	<u>4521</u>
35	<u>21</u>	<u>71496</u>	<u>73879</u>	<u>76262</u>	<u>78645</u>	<u>81028</u>	<u>83411</u>	<u>85794</u>	<u>90657</u>	<u>2383</u>	<u>4863</u>
36	<u>22</u>	<u>75340</u>	<u>77823</u>	<u>80306</u>	<u>82789</u>	<u>85272</u>	<u>87755</u>	<u>90238</u>	<u>95392</u>	<u>2483</u>	<u>5154</u>
37	<u>23</u>	<u>79326</u>	<u>81910</u>	<u>84494</u>	<u>87078</u>	<u>89662</u>	<u>92246</u>	<u>94830</u>	<u>100342</u>	<u>2584</u>	<u>5512</u>
38	<u>24</u>	<u>83550</u>	<u>86237</u>	<u>88924</u>	<u>91611</u>	<u>94298</u>	<u>96985</u>	<u>99672</u>	<u>105472</u>	<u>2687</u>	<u>5800</u>
39	<u>25</u>	<u>88161</u>	<u>90961</u>	<u>93761</u>	<u>96561</u>	<u>99361</u>	<u>102161</u>	<u>104961</u>	<u>111111</u>	<u>2800</u>	<u>6150</u>
40	<u>26</u>	<u>92804</u>	<u>95716</u>	<u>98628</u>	<u>101540</u>	<u>104452</u>	<u>107364</u>	<u>110276</u>	<u>118931</u>	<u>2912</u>	<u>8655</u>
41	<u>27</u>	<u>97828</u>	<u>100895</u>	<u>103962</u>	<u>107029</u>	<u>110096</u>	<u>113163</u>	<u>116230</u>	<u>125272</u>	<u>3067</u>	<u>9042</u>
42	<u>28</u>	<u>102978</u>	<u>106165</u>	<u>109352</u>	<u>112539</u>	<u>115726</u>	<u>118913</u>	<u>122100</u>	<u>131494</u>	<u>3187</u>	<u>9394</u>
43	<u>29</u>	<u>108377</u>	<u>111684</u>	<u>114991</u>	<u>118298</u>	<u>121605</u>	<u>124912</u>	<u>128219</u>	<u>137997</u>	<u>3307</u>	<u>9778</u>
44	<u>30</u>	<u>114039</u>	<u>117470</u>	<u>120901</u>	<u>124332</u>	<u>127763</u>	<u>131194</u>	<u>134625</u>	<u>144770</u>	<u>3431</u>	<u>10145</u>
45	<u>31</u>	<u>120117</u>	<u>123677</u>	<u>127237</u>	<u>130797</u>	<u>134357</u>	<u>137917</u>	<u>141477</u>	<u>152026</u>	<u>3560</u>	<u>10549</u>
46	<u>32</u>	<u>126506</u>	<u>130184</u>	<u>133862</u>	<u>137540</u>	<u>141218</u>	<u>144896</u>	<u>148574</u>	<u>159537</u>	<u>3678</u>	<u>10963</u>

47 § 2. Compensation for certain state officers and employees in collec-  
 48 tive negotiating units.

49 1. The provisions of this section shall apply to full-time officers  
 50 and employees in the collective negotiating unit designated as the rent  
 51 regulation services negotiating unit.

52 2. Effective April 1, 2021, the basic annual salary of officers and  
 53 employees in full-time employment status on the day before such payroll

1 period shall be increased by two percent adjusted to the nearest whole  
2 dollar amount.

3 3. Effective April 6, 2022, the basic annual salary of officers and  
4 employees in full-time employment status on the day before such payroll  
5 period shall be increased by two percent adjusted to the nearest whole  
6 dollar amount.

7 4. Notwithstanding the provisions of subdivisions two and three of  
8 this section, if the basic annual salary of an officer or employee to  
9 whom the provisions of this section apply is identical with the hiring  
10 rate, job rate, or step 1, 2, 3, 4, 5, or 6 of the salary grade of his  
11 or her position on the effective dates of the increases provided in  
12 these subdivisions, such basic annual salary shall be increased to the  
13 hiring rate, step 1, 2, 3, 4, 5, 6, or job rate, respectively, of such  
14 salary grade as contained in the appropriate salary schedules in subpar-  
15 agraphs 1 and 2 of paragraph e of subdivision 1 of section 130 of the  
16 civil service law, as added by section one of this act, to take effect  
17 on the dates provided in subparagraphs 1 and 2 of such paragraph,  
18 respectively. The increases in basic annual salary provided by this  
19 subdivision shall be in lieu of any increase in basic annual salary  
20 provided for in subdivisions two and three of this section.

21 5. Advancement within salary grade. Payments pursuant to the  
22 provisions of subdivision 6 of section 131 of the civil service law for  
23 officers and employees entitled to such payments to whom the provisions  
24 of this section apply shall be payable in accordance with the terms of  
25 an agreement reached pursuant to article 14 of the civil service law  
26 between the state and an employee organization representing employees in  
27 the collective negotiating unit designated as the rent regulation  
28 services negotiating unit.

29 6. If an unencumbered position is one which if encumbered, would be  
30 subject to the provisions of this section, the salary of such position  
31 shall be increased by the salary increase amounts specified in this  
32 section. If a position is created and filled by the appointment of an  
33 officer or employee who is subject to the provisions of this section,  
34 the salary otherwise provided for such position shall be increased in  
35 the same manner as though such position had been in existence but unen-  
36 cumbered. Notwithstanding the provisions of this section, the director  
37 of the budget may reduce the salary of any such position which is or  
38 becomes vacant.

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

47 8. In order to provide for the officers and employees to whom this  
48 section applies who are not allocated to salary grades, increases and  
49 payments pursuant to this section in proportion to those provided to  
50 persons to whom this section applies who are allocated to salary grades,  
51 the director of the budget is authorized to add appropriate adjustments  
52 and/or payments to the compensation which such officers and employees  
53 are otherwise entitled to receive. The director of the budget shall  
54 issue certificates which shall contain schedules of positions and the  
55 salaries and/or payments thereof for which adjustments and/or payments  
56 are made pursuant to the provisions of this subdivision, and a copy of

1 each such certificate shall be filed with the state comptroller, the  
2 state department of civil service, the chairman of the senate finance  
3 committee and the chairman of the assembly ways and means committee.

4 9. Notwithstanding any of the foregoing provisions of this section,  
5 the provisions of this section shall not apply to officers or employees  
6 paid on a fee schedule basis.

7 10. Notwithstanding any of the foregoing provisions of this section  
8 except subdivision one, any increase in compensation for any officer or  
9 employee appointed to a lower graded position from a redeployment list  
10 pursuant to subdivision 1 of section 79 of the civil service law who  
11 continues to receive his or her former salary pursuant to such subdivi-  
12 sion shall be determined on the basis of such lower graded position  
13 provided, however, that the increases in salary provided in subdivisions  
14 two and three of this section shall not cause such officer's or employ-  
15 ee's salary to exceed the job rate of such lower graded position.

16 11. Notwithstanding any of the foregoing provisions of this section or  
17 any law to the contrary, any increase in compensation may be withheld in  
18 whole or in part from any employee to whom the provisions of this  
19 section are applicable when, in the opinion of the director of the budg-  
20 et and the director of employee relations, such increase is not  
21 warranted or is not appropriate for any reason.

22 § 3. Location compensation for certain state officers and employees in  
23 collective negotiating units. Notwithstanding any inconsistent  
24 provisions of law, officers and employees, including seasonal officers  
25 and employees who shall receive the compensation provided for pursuant  
26 to this section on a pro-rated basis, except part-time officers and  
27 employees, in the collective negotiating unit designated as the rent  
28 regulation services negotiating unit, whose principal place of employ-  
29 ment or, in the case of a field employee, whose official station as  
30 determined in accordance with the regulations of the comptroller, is  
31 located in the city of New York, or in the county of Rockland, Westches-  
32 ter, Nassau or Suffolk shall continue to receive a downstate adjustment  
33 at the annual rate of three thousand twenty-six dollars. Such location  
34 payments shall be in addition to and shall not be a part of an officer's  
35 or employee's basic annual salary, and shall not affect or impair any  
36 performance advancements or other rights or benefits to which an officer  
37 or employee may be entitled by law, provided, however, that location  
38 payments shall be included as compensation for purposes of computation  
39 of overtime pay and for retirement purposes.

40 § 4. Notwithstanding any inconsistent provision of law, where and to  
41 the extent that any agreement between the state and an employee organ-  
42 ization entered into pursuant to article 14 of the civil service law so  
43 provides on behalf of employees in the collective negotiating unit  
44 designated as the rent regulation services negotiating unit, the state  
45 shall contribute an amount designated in such agreement and for the  
46 period covered by such agreement to the accounts of such employees  
47 enrolled for dependent care deductions pursuant to subdivision 7 of  
48 section 201-a of the state finance law. Such amounts shall be from funds  
49 appropriated in this act and shall not be part of basic annual salary  
50 for overtime or retirement purposes.

51 § 5. Notwithstanding any provision of law to the contrary, the appro-  
52 priations contained in this act shall be available to the state for the  
53 payment and publication of grievance and arbitration settlements and  
54 awards pursuant to articles 31 and 33 of the collective negotiating  
55 agreement between the state and the employee organization representing

1 the collective negotiating unit designated as the rent regulation  
2 services negotiating unit.

3 § 6. During the period April 2, 2021 through April 1, 2023, there  
4 shall be labor-management committees continued, administered and created  
5 pursuant to the terms of the agreement negotiated between the state and  
6 an employee organization representing employees in the collective nego-  
7 tiating unit designated as the rent regulation services negotiating unit  
8 established pursuant to article 14 of the civil service law which shall,  
9 after April 2, 2021, have the responsibility for discussing and attempt-  
10 ing to resolve matters of mutual concern and implementing any agreements  
11 reached.

12 § 7. The salary increases, benefit modifications, and any other  
13 modifications to the terms and conditions of employment provided for by  
14 this act for state employees in the collective negotiating unit desig-  
15 nated as the rent regulations services negotiating unit established  
16 pursuant to article 14 of the civil service law shall not be implemented  
17 until the director of employee relations shall have delivered to the  
18 director of the budget and the comptroller a letter certifying that  
19 there is in effect with respect to such negotiating unit a collectively  
20 negotiated agreement, ratified by the membership, which provides for  
21 such increases and modifications and which are fully executed in writing  
22 with the state pursuant to article 14 of the civil service law.

23 § 8. Use of appropriations. The comptroller is authorized to pay any  
24 amounts required during the fiscal year commencing April 1, 2022 by the  
25 foregoing provisions of this act for any state department or agency from  
26 any appropriation or other funds available to such state department or  
27 agency for personal service or for other related employee benefits  
28 during such fiscal year. To the extent that such appropriations in any  
29 fund are insufficient to accomplish the purposes herein set forth, the  
30 director of the budget is authorized to allocate to the various depart-  
31 ments and agencies, from any appropriations available in any fund, the  
32 amounts necessary to pay such amounts.

33 § 9. Effect of participation in special annuity program. No officer or  
34 employee participating in a special annuity program pursuant to the  
35 provisions of article 8-C of the education law shall, by reason of an  
36 increase in compensation pursuant to this act, suffer any reduction of  
37 the salary adjustment to which he or she would otherwise be entitled by  
38 reason of participation in such program, and such salary adjustment  
39 shall be based upon the salary of such officer or employee without  
40 regard to the reduction authorized by such article.

41 § 10. Deferred payment of salary increase. Notwithstanding the  
42 provisions of any other section of this act, or any other law, pending  
43 payment pursuant to this act of the basic annual salaries of incumbents  
44 of positions subject to this act, such incumbents shall receive, as  
45 partial compensation for services rendered, the rate of compensation  
46 otherwise payable in their respective positions. An incumbent holding a  
47 position subject to this act at any time during the period from April 1,  
48 2021, until the time when basic annual salaries are first paid pursuant  
49 to this act for such services in excess of the compensation actually  
50 received therefor, shall be entitled to a lump sum payment for the  
51 difference between the salary to which such incumbent is entitled for  
52 such services and the compensation actually received therefor. Such lump  
53 sum payment shall be made as soon as practicable.

54 § 11. Notwithstanding any provision of the state finance law or any  
55 other provision of law to the contrary, the sum of two million, four  
56 hundred thousand dollars (\$2,400,000) is hereby appropriated in the

1 general fund/state purposes account (10050) in miscellaneous-all state  
 2 departments and agencies solely for apportionment/transfer by the direc-  
 3 tor of the budget for use by any state department or agency in any fund  
 4 for the fiscal year beginning April 1, 2021 through March 31, 2023 to  
 5 supplement appropriations for personal service, other than personal  
 6 service and fringe benefits, and to carry out the provisions of this  
 7 act. No money shall be available for expenditure from this appropriation  
 8 until a certificate of approval has been issued by the director of the  
 9 budget and a copy of such certificate or any amendment thereto has been  
 10 filed with the state comptroller, the chair of the senate finance  
 11 committee and the chair of the assembly ways and means committee. The  
 12 monies hereby appropriated are available for payment of any liabilities  
 13 or obligations incurred prior to or during the state fiscal year  
 14 commencing April 1, 2021 through March 31, 2023. For this purpose, these  
 15 appropriations shall remain in full force and effect for the payment of  
 16 liabilities incurred on or before March 31, 2023.

17 § 12. Notwithstanding any provision of the state finance law or any  
 18 other provision of law to the contrary, the several amounts as herein-  
 19 after set forth, or so much thereof as may be necessary, are hereby  
 20 appropriated from the fund so designated for use by any state department  
 21 or agency for the fiscal year beginning April 1, 2021 through March 31,  
 22 2023 to supplement appropriations from each respective fund available  
 23 for personal service, other than personal service and fringe benefits,  
 24 and to carry out the provisions of this act. The monies hereby appropri-  
 25 ated are available for payment of any liabilities or obligations  
 26 incurred prior to or during the state fiscal year commencing April 1,  
 27 2021 through March 31, 2023. No money shall be available for expenditure  
 28 from this appropriation until a certificate of approval has been issued  
 29 by the director of the budget and a copy of such certificate or any  
 30 amendment thereto has been filed with the state comptroller, the chair  
 31 of the senate finance committee, and the chair of the assembly ways and  
 32 means committee.

33 ALL STATE DEPARTMENTS AND AGENCIES  
 34 SPECIAL PAY BILLS

35 General Fund/State Operations  
 36 State Purposes Account - 003  
 37 Non-Personal Service

38	Joint Committee on Health Benefits .....	\$12,000
39	Employee Assistance Program/Work-Life	
40	Services/Family Benefits .....	\$32,000
41	Employee Development and Training .....	\$158,000
42	Statewide Performance Rating Committee .....	\$3,000
43	Time & Attendance Umpire Process Admin .....	\$3,000
44	Disciplinary Panel Administration .....	\$3,000
45	Contract Administration .....	\$3,000
46	Employee Benefit Fund .....	\$705,000

47 § 13. This act shall take effect immediately and shall be deemed to  
 48 have been in full force and effect on and after April 2, 2021. Appropri-  
 49 ations made by this act shall remain in full force and effect for  
 50 liabilities incurred through March 31, 2023.

51 -----



1 REPEAL NOTE: Subparagraphs 1, 2, 3, 4 and 5 of paragraph e of subdivi-  
 2 sion 1 of section 130 of the civil service law are REPEALED by section 1  
 3 of this act and are replaced with new subparagraphs 1 and 2.

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

13 § 3. This act shall take effect immediately, provided, however, that  
 14 the applicable effective dates of Parts A and B of this act shall be as  
 15 specifically set forth in the last section of such Parts.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow members of the New York State and Local Police  
 and Fire Retirement System (NYSLPFRS), represented by the Agency Police  
 Services negotiating unit, to receive service credit for up to 200 days  
 of unused sick leave. Currently, the maximum is 165 days. This would be  
 retroactive to include retirements on or after July 27, 2017.

If this bill is enacted during the 2022 legislative session, we antic-  
 ipate that there may occasionally be years where the annual sick leave  
 rate in the NYSLPFRS increases by 0.1% as a result of this legislation,  
 but such years are expected to be rare. Employees represented by the  
 Agency Police Services negotiating unit are members of the NYSLPFRS only  
 so there will not be any increases in the sick leave rates for the New  
 York State and Local Employees' Retirement System (NYSLERS) as a result  
 of this legislation.

There would also be additional administrative costs to review the  
 retirements since July 27, 2017 and recalculate the benefits of those  
 affected.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact  
 of the proposed change, the same data used in the April 1, 2021 actuari-  
 al valuation. Distributions and other statistics can be found in the  
 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial  
 Report.

The actuarial assumptions and methods used are described in the 2020  
 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and  
 the Codes, Rules and Regulations of the State of New York: Audit and  
 Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021  
 New York State and Local Retirement System Financial Statements and  
 Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Quali-  
 fication Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability  
 of the proposed change nor is it intended to serve as a substitute for  
 the professional judgment of an attorney.

This estimate, dated March 29, 2022, and intended for use only during  
 the 2022 Legislative Session, is Fiscal Note No. 2022-95, prepared by  
 the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9463

IN SENATE

May 30, 2022

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

AN ACT to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of state officers and employees who are the members of the security supervisors unit; to amend the state finance law, in relation to the employee benefit fund for all members of the security supervisors unit; to amend the civil service law, in relation to increases in salary payable to certain officers and employees; to authorize funding of joint labor-management committees; to implement an agreement between the state and the employee organization representing the members of the security supervisors unit; to repeal certain provisions of the civil service law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof

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

1 Section 1. Paragraph i of subdivision 1 of section 130 of the civil  
2 service law is REPEALED and a new paragraph i is added to read as  
3 follows:

4 i. Pursuant to the terms of an agreement between the state and an  
5 employee organization entered into pursuant to article fourteen of this  
6 chapter covering members of the collective negotiating unit designated  
7 as security supervisors who are employed by the state department of  
8 corrections and community supervision and are designated as peace offi-  
9 cers pursuant to subdivision twenty-five of section 2.10 of the criminal  
10 procedure law, effective on the dates indicated, salary grades for posi-  
11 tions in the competitive, non-competitive and labor classes shall be as  
12 follows:

13 (1) Effective April seventh, two thousand sixteen for officers and  
14 employees on the administrative payroll and effective March thirty-  
15 first, two thousand sixteen for officers and employees on the institu-  
16 tional payroll:

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

LBD12049-03-2

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	<u>1</u>	<u>26961</u>	<u>27989</u>	<u>29017</u>	<u>30045</u>	<u>31073</u>
	<u>2</u>	<u>27855</u>	<u>28939</u>	<u>30023</u>	<u>31107</u>	<u>32191</u>
	<u>3</u>	<u>29106</u>	<u>30236</u>	<u>31366</u>	<u>32496</u>	<u>33626</u>
	<u>4</u>	<u>30305</u>	<u>31496</u>	<u>32687</u>	<u>33878</u>	<u>35069</u>
	<u>5</u>	<u>31625</u>	<u>32879</u>	<u>34133</u>	<u>35387</u>	<u>36641</u>
	<u>6</u>	<u>33156</u>	<u>34474</u>	<u>35792</u>	<u>37110</u>	<u>38428</u>
	<u>7</u>	<u>34896</u>	<u>36269</u>	<u>37642</u>	<u>39015</u>	<u>40388</u>
	<u>8</u>	<u>36726</u>	<u>38151</u>	<u>39576</u>	<u>41001</u>	<u>42426</u>
	<u>9</u>	<u>38643</u>	<u>40129</u>	<u>41615</u>	<u>43101</u>	<u>44587</u>
	<u>10</u>	<u>40698</u>	<u>42262</u>	<u>43826</u>	<u>45390</u>	<u>46954</u>
	<u>11</u>	<u>42963</u>	<u>44589</u>	<u>46215</u>	<u>47841</u>	<u>49467</u>
	<u>12</u>	<u>45218</u>	<u>46915</u>	<u>48612</u>	<u>50309</u>	<u>52006</u>
	<u>13</u>	<u>47772</u>	<u>49546</u>	<u>51320</u>	<u>53094</u>	<u>54868</u>
	<u>14</u>	<u>50378</u>	<u>52236</u>	<u>54094</u>	<u>55952</u>	<u>57810</u>
	<u>15</u>	<u>53139</u>	<u>55073</u>	<u>57007</u>	<u>58941</u>	<u>60875</u>
	<u>16</u>	<u>56001</u>	<u>58021</u>	<u>60041</u>	<u>62061</u>	<u>64081</u>
	<u>17</u>	<u>59010</u>	<u>61138</u>	<u>63266</u>	<u>65394</u>	<u>67522</u>
	<u>18</u>	<u>62226</u>	<u>64460</u>	<u>66694</u>	<u>68928</u>	<u>71162</u>
	<u>19</u>	<u>65487</u>	<u>67821</u>	<u>70155</u>	<u>72489</u>	<u>74823</u>
	<u>20</u>	<u>68725</u>	<u>71163</u>	<u>73601</u>	<u>76039</u>	<u>78477</u>
	<u>21</u>	<u>72288</u>	<u>74830</u>	<u>77372</u>	<u>79914</u>	<u>82456</u>
	<u>22</u>	<u>76021</u>	<u>78715</u>	<u>81409</u>	<u>84103</u>	<u>86797</u>
	<u>23</u>	<u>80000</u>	<u>82770</u>	<u>85540</u>	<u>88310</u>	<u>91080</u>
	<u>24</u>	<u>84195</u>	<u>87068</u>	<u>89941</u>	<u>92814</u>	<u>95687</u>
	<u>25</u>	<u>88754</u>	<u>91752</u>	<u>94750</u>	<u>97748</u>	<u>100746</u>
						<u>Max</u>
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
	<u>SG</u>	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
		<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>1</u>	<u>33129</u>	<u>1028</u>	<u>34667</u>	<u>36203</u>	<u>39181</u>
	<u>2</u>	<u>34359</u>	<u>1084</u>	<u>35987</u>	<u>37613</u>	<u>40679</u>
	<u>3</u>	<u>35886</u>	<u>1130</u>	<u>37583</u>	<u>39279</u>	<u>42416</u>
	<u>4</u>	<u>37451</u>	<u>1191</u>	<u>39238</u>	<u>41020</u>	<u>44246</u>
	<u>5</u>	<u>39149</u>	<u>1254</u>	<u>41023</u>	<u>42899</u>	<u>46217</u>
	<u>6</u>	<u>41064</u>	<u>1318</u>	<u>43040</u>	<u>45015</u>	<u>48436</u>
	<u>7</u>	<u>43134</u>	<u>1373</u>	<u>45189</u>	<u>47242</u>	<u>50740</u>
	<u>8</u>	<u>45276</u>	<u>1425</u>	<u>47411</u>	<u>49549</u>	<u>53122</u>
	<u>9</u>	<u>47559</u>	<u>1486</u>	<u>49793</u>	<u>52024</u>	<u>55698</u>
	<u>10</u>	<u>50082</u>	<u>1564</u>	<u>52420</u>	<u>54758</u>	<u>58536</u>
	<u>11</u>	<u>52719</u>	<u>1626</u>	<u>55153</u>	<u>57590</u>	<u>61466</u>
	<u>12</u>	<u>55400</u>	<u>1697</u>	<u>57949</u>	<u>60501</u>	<u>64487</u>
	<u>13</u>	<u>58416</u>	<u>1774</u>	<u>61068</u>	<u>63722</u>	<u>67819</u>
	<u>14</u>	<u>61526</u>	<u>1858</u>	<u>64308</u>	<u>67092</u>	<u>71311</u>
	<u>15</u>	<u>64743</u>	<u>1934</u>	<u>67639</u>	<u>70538</u>	<u>74873</u>
	<u>16</u>	<u>68121</u>	<u>2020</u>	<u>71147</u>	<u>74175</u>	<u>78641</u>
	<u>17</u>	<u>71778</u>	<u>2128</u>	<u>74962</u>	<u>78145</u>	<u>82773</u>
	<u>18</u>	<u>75630</u>	<u>2234</u>	<u>78977</u>	<u>82330</u>	<u>87118</u>
	<u>19</u>	<u>79491</u>	<u>2334</u>	<u>82986</u>	<u>86481</u>	<u>91419</u>
	<u>20</u>	<u>83353</u>	<u>2438</u>	<u>87011</u>	<u>90670</u>	<u>95768</u>

1	<u>21</u>	<u>87540</u>	<u>2542</u>	<u>91354</u>	<u>95166</u>	<u>100420</u>	<u>104233</u>
2	<u>22</u>	<u>92185</u>	<u>2694</u>	<u>96217</u>	<u>100250</u>	<u>105721</u>	<u>109755</u>
3	<u>23</u>	<u>96620</u>	<u>2770</u>	<u>100777</u>	<u>104934</u>	<u>110526</u>	<u>114682</u>
4	<u>24</u>	<u>101433</u>	<u>2873</u>	<u>105741</u>	<u>110048</u>	<u>115798</u>	<u>120104</u>
5	<u>25</u>	<u>106742</u>	<u>2998</u>	<u>111233</u>	<u>115720</u>	<u>121655</u>	<u>126145</u>

6 (2) Effective April sixth, two thousand seventeen for officers and  
 7 employees on the administrative payroll and effective March thirtieth,  
 8 two thousand seventeen for officers and employees on the institutional  
 9 payroll:

10		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
11		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
12		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
13		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
14	<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
15	<u>1</u>	<u>27500</u>	<u>28549</u>	<u>29598</u>	<u>30647</u>	<u>31696</u>	<u>32745</u>
16	<u>2</u>	<u>28412</u>	<u>29518</u>	<u>30624</u>	<u>31730</u>	<u>32836</u>	<u>33942</u>
17	<u>3</u>	<u>29688</u>	<u>30841</u>	<u>31994</u>	<u>33147</u>	<u>34300</u>	<u>35453</u>
18	<u>4</u>	<u>30911</u>	<u>32126</u>	<u>33341</u>	<u>34556</u>	<u>35771</u>	<u>36986</u>
19	<u>5</u>	<u>32258</u>	<u>33537</u>	<u>34816</u>	<u>36095</u>	<u>37374</u>	<u>38653</u>
20	<u>6</u>	<u>33819</u>	<u>35163</u>	<u>36507</u>	<u>37851</u>	<u>39195</u>	<u>40539</u>
21	<u>7</u>	<u>35594</u>	<u>36995</u>	<u>38396</u>	<u>39797</u>	<u>41198</u>	<u>42599</u>
22	<u>8</u>	<u>37461</u>	<u>38915</u>	<u>40369</u>	<u>41823</u>	<u>43277</u>	<u>44731</u>
23	<u>9</u>	<u>39416</u>	<u>40932</u>	<u>42448</u>	<u>43964</u>	<u>45480</u>	<u>46996</u>
24	<u>10</u>	<u>41512</u>	<u>43107</u>	<u>44702</u>	<u>46297</u>	<u>47892</u>	<u>49487</u>
25	<u>11</u>	<u>43822</u>	<u>45481</u>	<u>47140</u>	<u>48799</u>	<u>50458</u>	<u>52117</u>
26	<u>12</u>	<u>46122</u>	<u>47853</u>	<u>49584</u>	<u>51315</u>	<u>53046</u>	<u>54777</u>
27	<u>13</u>	<u>48727</u>	<u>50537</u>	<u>52347</u>	<u>54157</u>	<u>55967</u>	<u>57777</u>
28	<u>14</u>	<u>51386</u>	<u>53281</u>	<u>55176</u>	<u>57071</u>	<u>58966</u>	<u>60861</u>
29	<u>15</u>	<u>54202</u>	<u>56175</u>	<u>58148</u>	<u>60121</u>	<u>62094</u>	<u>64067</u>
30	<u>16</u>	<u>57121</u>	<u>59181</u>	<u>61241</u>	<u>63301</u>	<u>65361</u>	<u>67421</u>
31	<u>17</u>	<u>60190</u>	<u>62361</u>	<u>64532</u>	<u>66703</u>	<u>68874</u>	<u>71045</u>
32	<u>18</u>	<u>63471</u>	<u>65750</u>	<u>68029</u>	<u>70308</u>	<u>72587</u>	<u>74866</u>
33	<u>19</u>	<u>66797</u>	<u>69178</u>	<u>71559</u>	<u>73940</u>	<u>76321</u>	<u>78702</u>
34	<u>20</u>	<u>70100</u>	<u>72587</u>	<u>75074</u>	<u>77561</u>	<u>80048</u>	<u>82535</u>
35	<u>21</u>	<u>73734</u>	<u>76327</u>	<u>78920</u>	<u>81513</u>	<u>84106</u>	<u>86699</u>
36	<u>22</u>	<u>77541</u>	<u>80289</u>	<u>83037</u>	<u>85785</u>	<u>88533</u>	<u>91281</u>
37	<u>23</u>	<u>81600</u>	<u>84425</u>	<u>87250</u>	<u>90075</u>	<u>92900</u>	<u>95725</u>
38	<u>24</u>	<u>85879</u>	<u>88810</u>	<u>91741</u>	<u>94672</u>	<u>97603</u>	<u>100534</u>
39	<u>25</u>	<u>90529</u>	<u>93587</u>	<u>96645</u>	<u>99703</u>	<u>102761</u>	<u>105819</u>

40						<u>Max</u>	
41			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
42		<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
43	<u>SG</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
44	<u>1</u>	<u>33794</u>	<u>1049</u>	<u>35360</u>	<u>36927</u>	<u>39965</u>	<u>41532</u>
45	<u>2</u>	<u>35048</u>	<u>1106</u>	<u>36707</u>	<u>38365</u>	<u>41493</u>	<u>43154</u>
46	<u>3</u>	<u>36606</u>	<u>1153</u>	<u>38335</u>	<u>40065</u>	<u>43264</u>	<u>44995</u>
47	<u>4</u>	<u>38201</u>	<u>1215</u>	<u>40023</u>	<u>41840</u>	<u>45131</u>	<u>46950</u>
48	<u>5</u>	<u>39932</u>	<u>1279</u>	<u>41843</u>	<u>43757</u>	<u>47141</u>	<u>49056</u>
49	<u>6</u>	<u>41883</u>	<u>1344</u>	<u>43901</u>	<u>45915</u>	<u>49405</u>	<u>51422</u>
50	<u>7</u>	<u>44000</u>	<u>1401</u>	<u>46093</u>	<u>48187</u>	<u>51755</u>	<u>53851</u>
51	<u>8</u>	<u>46185</u>	<u>1454</u>	<u>48359</u>	<u>50540</u>	<u>54184</u>	<u>56365</u>

1	<u>9</u>	<u>48512</u>	<u>1516</u>	<u>50789</u>	<u>53064</u>	<u>56812</u>	<u>59089</u>
2	<u>10</u>	<u>51082</u>	<u>1595</u>	<u>53468</u>	<u>55853</u>	<u>59707</u>	<u>62095</u>
3	<u>11</u>	<u>53776</u>	<u>1659</u>	<u>56256</u>	<u>58742</u>	<u>62695</u>	<u>65180</u>
4	<u>12</u>	<u>56508</u>	<u>1731</u>	<u>59108</u>	<u>61711</u>	<u>65777</u>	<u>68376</u>
5	<u>13</u>	<u>59587</u>	<u>1810</u>	<u>62289</u>	<u>64996</u>	<u>69175</u>	<u>71882</u>
6	<u>14</u>	<u>62756</u>	<u>1895</u>	<u>65594</u>	<u>68434</u>	<u>72737</u>	<u>75576</u>
7	<u>15</u>	<u>66040</u>	<u>1973</u>	<u>68992</u>	<u>71949</u>	<u>76370</u>	<u>79324</u>
8	<u>16</u>	<u>69481</u>	<u>2060</u>	<u>72570</u>	<u>75659</u>	<u>80214</u>	<u>83300</u>
9	<u>17</u>	<u>73216</u>	<u>2171</u>	<u>76461</u>	<u>79708</u>	<u>84428</u>	<u>87677</u>
10	<u>18</u>	<u>77145</u>	<u>2279</u>	<u>80557</u>	<u>83977</u>	<u>88860</u>	<u>92278</u>
11	<u>19</u>	<u>81083</u>	<u>2381</u>	<u>84646</u>	<u>88211</u>	<u>93247</u>	<u>96813</u>
12	<u>20</u>	<u>85022</u>	<u>2487</u>	<u>88751</u>	<u>92483</u>	<u>97683</u>	<u>101417</u>
13	<u>21</u>	<u>89292</u>	<u>2593</u>	<u>93181</u>	<u>97069</u>	<u>102428</u>	<u>106318</u>
14	<u>22</u>	<u>94029</u>	<u>2748</u>	<u>98141</u>	<u>102255</u>	<u>107835</u>	<u>111950</u>
15	<u>23</u>	<u>98550</u>	<u>2825</u>	<u>102793</u>	<u>107033</u>	<u>112737</u>	<u>116976</u>
16	<u>24</u>	<u>103465</u>	<u>2931</u>	<u>107856</u>	<u>112249</u>	<u>118114</u>	<u>122506</u>
17	<u>25</u>	<u>108877</u>	<u>3058</u>	<u>113458</u>	<u>118034</u>	<u>124088</u>	<u>128668</u>

18 (3) Effective April fifth, two thousand eighteen for officers and  
 19 employees on the administrative payroll and effective March twenty-  
 20 ninth, two thousand eighteen for officers and employees on the institu-  
 21 tional payroll:

22		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
23		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
24		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
25	<u>Hir-</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
26	<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	
			<u>5</u>				
27	<u>1</u>	<u>28050</u>	<u>29120</u>	<u>30190</u>	<u>31260</u>	<u>32330</u>	<u>33400</u>
28	<u>2</u>	<u>28980</u>	<u>30108</u>	<u>31236</u>	<u>32364</u>	<u>33492</u>	<u>34620</u>
29	<u>3</u>	<u>30282</u>	<u>31458</u>	<u>32634</u>	<u>33810</u>	<u>34986</u>	<u>36162</u>
30	<u>4</u>	<u>31529</u>	<u>32768</u>	<u>34007</u>	<u>35246</u>	<u>36485</u>	<u>37724</u>
31	<u>5</u>	<u>32903</u>	<u>34208</u>	<u>35513</u>	<u>36818</u>	<u>38123</u>	<u>39428</u>
32	<u>6</u>	<u>34495</u>	<u>35866</u>	<u>37237</u>	<u>38608</u>	<u>39979</u>	<u>41350</u>
33	<u>7</u>	<u>36306</u>	<u>37735</u>	<u>39164</u>	<u>40593</u>	<u>42022</u>	<u>43451</u>
34	<u>8</u>	<u>38210</u>	<u>39693</u>	<u>41176</u>	<u>42659</u>	<u>44142</u>	<u>45625</u>
35	<u>9</u>	<u>40204</u>	<u>41750</u>	<u>43296</u>	<u>44842</u>	<u>46388</u>	<u>47934</u>
36	<u>10</u>	<u>42342</u>	<u>43969</u>	<u>45596</u>	<u>47223</u>	<u>48850</u>	<u>50477</u>
37	<u>11</u>	<u>44698</u>	<u>46390</u>	<u>48082</u>	<u>49774</u>	<u>51466</u>	<u>53158</u>
38	<u>12</u>	<u>47044</u>	<u>48810</u>	<u>50576</u>	<u>52342</u>	<u>54108</u>	<u>55874</u>
39	<u>13</u>	<u>49702</u>	<u>51548</u>	<u>53394</u>	<u>55240</u>	<u>57086</u>	<u>58932</u>
40	<u>14</u>	<u>52414</u>	<u>54347</u>	<u>56280</u>	<u>58213</u>	<u>60146</u>	<u>62079</u>
41	<u>15</u>	<u>55286</u>	<u>57299</u>	<u>59312</u>	<u>61325</u>	<u>63338</u>	<u>65351</u>
42	<u>16</u>	<u>58263</u>	<u>60364</u>	<u>62465</u>	<u>64566</u>	<u>66667</u>	<u>68768</u>
43	<u>17</u>	<u>61394</u>	<u>63608</u>	<u>65822</u>	<u>68036</u>	<u>70250</u>	<u>72464</u>
44	<u>18</u>	<u>64740</u>	<u>67065</u>	<u>69390</u>	<u>71715</u>	<u>74040</u>	<u>76365</u>
45	<u>19</u>	<u>68133</u>	<u>70562</u>	<u>72991</u>	<u>75420</u>	<u>77849</u>	<u>80278</u>
46	<u>20</u>	<u>71502</u>	<u>74039</u>	<u>76576</u>	<u>79113</u>	<u>81650</u>	<u>84187</u>
47	<u>21</u>	<u>75209</u>	<u>77854</u>	<u>80499</u>	<u>83144</u>	<u>85789</u>	<u>88434</u>
48	<u>22</u>	<u>79092</u>	<u>81895</u>	<u>84698</u>	<u>87501</u>	<u>90304</u>	<u>93107</u>
49	<u>23</u>	<u>83232</u>	<u>86114</u>	<u>88996</u>	<u>91878</u>	<u>94760</u>	<u>97642</u>
50	<u>24</u>	<u>87597</u>	<u>90587</u>	<u>93577</u>	<u>96567</u>	<u>99557</u>	<u>102547</u>
51	<u>25</u>	<u>92340</u>	<u>95459</u>	<u>98578</u>	<u>101697</u>	<u>104816</u>	<u>107935</u>

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Max

			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>							
1	<u>1</u>	<u>34470</u>	<u>1070</u>	<u>36067</u>	<u>37666</u>	<u>40764</u>	<u>42363</u>
2	<u>2</u>	<u>35748</u>	<u>1128</u>	<u>37441</u>	<u>39132</u>	<u>42323</u>	<u>44017</u>
3	<u>3</u>	<u>37338</u>	<u>1176</u>	<u>39102</u>	<u>40866</u>	<u>44129</u>	<u>45895</u>
4	<u>4</u>	<u>38963</u>	<u>1239</u>	<u>40823</u>	<u>42677</u>	<u>46034</u>	<u>47889</u>
5	<u>5</u>	<u>40733</u>	<u>1305</u>	<u>42680</u>	<u>44632</u>	<u>48084</u>	<u>50037</u>
6	<u>6</u>	<u>42721</u>	<u>1371</u>	<u>44779</u>	<u>46833</u>	<u>50393</u>	<u>52450</u>
7	<u>7</u>	<u>44880</u>	<u>1429</u>	<u>47015</u>	<u>49151</u>	<u>52790</u>	<u>54928</u>
8	<u>8</u>	<u>47108</u>	<u>1483</u>	<u>49326</u>	<u>51551</u>	<u>55268</u>	<u>57492</u>
9	<u>9</u>	<u>49480</u>	<u>1546</u>	<u>51805</u>	<u>54125</u>	<u>57948</u>	<u>60271</u>
10	<u>10</u>	<u>52104</u>	<u>1627</u>	<u>54537</u>	<u>56970</u>	<u>60901</u>	<u>63337</u>
11	<u>11</u>	<u>54850</u>	<u>1692</u>	<u>57381</u>	<u>59917</u>	<u>63949</u>	<u>66484</u>
12	<u>12</u>	<u>57640</u>	<u>1766</u>	<u>60290</u>	<u>62945</u>	<u>67093</u>	<u>69744</u>
13	<u>13</u>	<u>60778</u>	<u>1846</u>	<u>63535</u>	<u>66296</u>	<u>70559</u>	<u>73320</u>
14	<u>14</u>	<u>64012</u>	<u>1933</u>	<u>66906</u>	<u>69803</u>	<u>74192</u>	<u>77088</u>
15	<u>15</u>	<u>67364</u>	<u>2013</u>	<u>70372</u>	<u>73388</u>	<u>77897</u>	<u>80910</u>
16	<u>16</u>	<u>70869</u>	<u>2101</u>	<u>74021</u>	<u>77172</u>	<u>81818</u>	<u>84966</u>
17	<u>17</u>	<u>74678</u>	<u>2214</u>	<u>77990</u>	<u>81302</u>	<u>86117</u>	<u>89431</u>
18	<u>18</u>	<u>78690</u>	<u>2325</u>	<u>82168</u>	<u>85657</u>	<u>90637</u>	<u>94124</u>
19	<u>19</u>	<u>82707</u>	<u>2429</u>	<u>86339</u>	<u>89975</u>	<u>95112</u>	<u>98749</u>
20	<u>20</u>	<u>86724</u>	<u>2537</u>	<u>90526</u>	<u>94333</u>	<u>99637</u>	<u>103445</u>
21	<u>21</u>	<u>91079</u>	<u>2645</u>	<u>95045</u>	<u>99010</u>	<u>104477</u>	<u>108444</u>
22	<u>22</u>	<u>95910</u>	<u>2803</u>	<u>100104</u>	<u>104300</u>	<u>109992</u>	<u>114189</u>
23	<u>23</u>	<u>100524</u>	<u>2882</u>	<u>104849</u>	<u>109174</u>	<u>114992</u>	<u>119316</u>
24	<u>24</u>	<u>105537</u>	<u>2990</u>	<u>110013</u>	<u>114494</u>	<u>120476</u>	<u>124956</u>
25	<u>25</u>	<u>111054</u>	<u>3119</u>	<u>115727</u>	<u>120395</u>	<u>126570</u>	<u>131241</u>

29 (4) Effective April fourth, two thousand nineteen for officers and  
 30 employees on the administrative payroll and effective March twenty-  
 31 eighth, two thousand nineteen for officers and employees on the institu-  
 32 tional payroll:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
38	<u>1</u>	<u>28611</u>	<u>29702</u>	<u>30793</u>	<u>31884</u>	<u>32975</u>	<u>34066</u>
39	<u>2</u>	<u>29560</u>	<u>30711</u>	<u>31862</u>	<u>33013</u>	<u>34164</u>	<u>35315</u>
40	<u>3</u>	<u>30888</u>	<u>32088</u>	<u>33288</u>	<u>34488</u>	<u>35688</u>	<u>36888</u>
41	<u>4</u>	<u>32160</u>	<u>33424</u>	<u>34688</u>	<u>35952</u>	<u>37216</u>	<u>38480</u>
42	<u>5</u>	<u>33561</u>	<u>34892</u>	<u>36223</u>	<u>37554</u>	<u>38885</u>	<u>40216</u>
43	<u>6</u>	<u>35185</u>	<u>36583</u>	<u>37981</u>	<u>39379</u>	<u>40777</u>	<u>42175</u>
44	<u>7</u>	<u>37032</u>	<u>38490</u>	<u>39948</u>	<u>41406</u>	<u>42864</u>	<u>44322</u>
45	<u>8</u>	<u>38974</u>	<u>40487</u>	<u>42000</u>	<u>43513</u>	<u>45026</u>	<u>46539</u>
46	<u>9</u>	<u>41008</u>	<u>42585</u>	<u>44162</u>	<u>45739</u>	<u>47316</u>	<u>48893</u>
47	<u>10</u>	<u>43189</u>	<u>44849</u>	<u>46509</u>	<u>48169</u>	<u>49829</u>	<u>51489</u>
48	<u>11</u>	<u>45592</u>	<u>47318</u>	<u>49044</u>	<u>50770</u>	<u>52496</u>	<u>54222</u>
49	<u>12</u>	<u>47985</u>	<u>49786</u>	<u>51587</u>	<u>53388</u>	<u>55189</u>	<u>56990</u>
50	<u>13</u>	<u>50696</u>	<u>52579</u>	<u>54462</u>	<u>56345</u>	<u>58228</u>	<u>60111</u>
51	<u>14</u>	<u>53462</u>	<u>55434</u>	<u>57406</u>	<u>59378</u>	<u>61350</u>	<u>63322</u>
52	<u>15</u>	<u>56392</u>	<u>58445</u>	<u>60498</u>	<u>62551</u>	<u>64604</u>	<u>66657</u>
53	<u>16</u>	<u>59428</u>	<u>61571</u>	<u>63714</u>	<u>65857</u>	<u>68000</u>	<u>70143</u>

1	<u>17</u>	<u>62622</u>	<u>64880</u>	<u>67138</u>	<u>69396</u>	<u>71654</u>	<u>73912</u>
2	<u>18</u>	<u>66035</u>	<u>68407</u>	<u>70779</u>	<u>73151</u>	<u>75523</u>	<u>77895</u>
3	<u>19</u>	<u>69496</u>	<u>71974</u>	<u>74452</u>	<u>76930</u>	<u>79408</u>	<u>81886</u>
4	<u>20</u>	<u>72932</u>	<u>75520</u>	<u>78108</u>	<u>80696</u>	<u>83284</u>	<u>85872</u>
5	<u>21</u>	<u>76713</u>	<u>79411</u>	<u>82109</u>	<u>84807</u>	<u>87505</u>	<u>90203</u>
6	<u>22</u>	<u>80674</u>	<u>83533</u>	<u>86392</u>	<u>89251</u>	<u>92110</u>	<u>94969</u>
7	<u>23</u>	<u>84897</u>	<u>87837</u>	<u>90777</u>	<u>93717</u>	<u>96657</u>	<u>99597</u>
8	<u>24</u>	<u>89349</u>	<u>92399</u>	<u>95449</u>	<u>98499</u>	<u>101549</u>	<u>104599</u>
9	<u>25</u>	<u>94187</u>	<u>97368</u>	<u>100549</u>	<u>103730</u>	<u>106911</u>	<u>110092</u>

						<u>Max</u>	
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>							
14	<u>1</u>	<u>35157</u>	<u>1091</u>	<u>36788</u>	<u>38419</u>	<u>41579</u>	<u>43210</u>
15	<u>2</u>	<u>36466</u>	<u>1151</u>	<u>38190</u>	<u>39915</u>	<u>43169</u>	<u>44897</u>
16	<u>3</u>	<u>38088</u>	<u>1200</u>	<u>39884</u>	<u>41683</u>	<u>45012</u>	<u>46813</u>
17	<u>4</u>	<u>39744</u>	<u>1264</u>	<u>41639</u>	<u>43531</u>	<u>46955</u>	<u>48847</u>
18	<u>5</u>	<u>41547</u>	<u>1331</u>	<u>43534</u>	<u>45525</u>	<u>49046</u>	<u>51038</u>
19	<u>6</u>	<u>43573</u>	<u>1398</u>	<u>45675</u>	<u>47770</u>	<u>51401</u>	<u>53499</u>
20	<u>7</u>	<u>45780</u>	<u>1458</u>	<u>47955</u>	<u>50134</u>	<u>53846</u>	<u>56027</u>
21	<u>8</u>	<u>48052</u>	<u>1513</u>	<u>50313</u>	<u>52582</u>	<u>56373</u>	<u>58642</u>
22	<u>9</u>	<u>50470</u>	<u>1577</u>	<u>52841</u>	<u>55208</u>	<u>59107</u>	<u>61476</u>
23	<u>10</u>	<u>53149</u>	<u>1660</u>	<u>55628</u>	<u>58109</u>	<u>62119</u>	<u>64604</u>
24	<u>11</u>	<u>55948</u>	<u>1726</u>	<u>58529</u>	<u>61115</u>	<u>65228</u>	<u>67814</u>
25	<u>12</u>	<u>58791</u>	<u>1801</u>	<u>61496</u>	<u>64204</u>	<u>68435</u>	<u>71139</u>
26	<u>13</u>	<u>61994</u>	<u>1883</u>	<u>64806</u>	<u>67622</u>	<u>71970</u>	<u>74786</u>
27	<u>14</u>	<u>65294</u>	<u>1972</u>	<u>68244</u>	<u>71199</u>	<u>75676</u>	<u>78630</u>
28	<u>15</u>	<u>68710</u>	<u>2053</u>	<u>71779</u>	<u>74856</u>	<u>79455</u>	<u>82528</u>
29	<u>16</u>	<u>72286</u>	<u>2143</u>	<u>75501</u>	<u>78715</u>	<u>83454</u>	<u>86665</u>
30	<u>17</u>	<u>76170</u>	<u>2258</u>	<u>79550</u>	<u>82928</u>	<u>87839</u>	<u>91220</u>
31	<u>18</u>	<u>80267</u>	<u>2372</u>	<u>83811</u>	<u>87370</u>	<u>92450</u>	<u>96006</u>
32	<u>19</u>	<u>84364</u>	<u>2478</u>	<u>88066</u>	<u>91775</u>	<u>97014</u>	<u>100724</u>
33	<u>20</u>	<u>88460</u>	<u>2588</u>	<u>92337</u>	<u>96220</u>	<u>101630</u>	<u>105514</u>
34	<u>21</u>	<u>92901</u>	<u>2698</u>	<u>96946</u>	<u>100990</u>	<u>106567</u>	<u>110613</u>
35	<u>22</u>	<u>97828</u>	<u>2859</u>	<u>102106</u>	<u>106386</u>	<u>112192</u>	<u>116473</u>
36	<u>23</u>	<u>102537</u>	<u>2940</u>	<u>106946</u>	<u>111357</u>	<u>117292</u>	<u>121702</u>
37	<u>24</u>	<u>107649</u>	<u>3050</u>	<u>112213</u>	<u>116784</u>	<u>122886</u>	<u>127455</u>
38	<u>25</u>	<u>113273</u>	<u>3181</u>	<u>118042</u>	<u>122803</u>	<u>129101</u>	<u>133866</u>

39 (5) Effective April second, two thousand twenty for officers and  
 40 employees on the administrative payroll and effective March twenty-  
 41 sixth, two thousand twenty for officers and employees on the institu-  
 42 tional payroll:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
48	<u>1</u>	<u>29183</u>	<u>30296</u>	<u>31409</u>	<u>32522</u>	<u>33635</u>	<u>34748</u>
49	<u>2</u>	<u>30151</u>	<u>31325</u>	<u>32499</u>	<u>33673</u>	<u>34847</u>	<u>36021</u>
50	<u>3</u>	<u>31506</u>	<u>32730</u>	<u>33954</u>	<u>35178</u>	<u>36402</u>	<u>37626</u>
51	<u>4</u>	<u>32803</u>	<u>34092</u>	<u>35381</u>	<u>36670</u>	<u>37959</u>	<u>39248</u>
52	<u>5</u>	<u>34232</u>	<u>35590</u>	<u>36948</u>	<u>38306</u>	<u>39664</u>	<u>41022</u>

1	<u>6</u>	<u>35889</u>	<u>37315</u>	<u>38741</u>	<u>40167</u>	<u>41593</u>	<u>43019</u>
2	<u>7</u>	<u>37773</u>	<u>39260</u>	<u>40747</u>	<u>42234</u>	<u>43721</u>	<u>45208</u>
3	<u>8</u>	<u>39753</u>	<u>41296</u>	<u>42839</u>	<u>44382</u>	<u>45925</u>	<u>47468</u>
4	<u>9</u>	<u>41828</u>	<u>43437</u>	<u>45046</u>	<u>46655</u>	<u>48264</u>	<u>49873</u>
5	<u>10</u>	<u>44053</u>	<u>45746</u>	<u>47439</u>	<u>49132</u>	<u>50825</u>	<u>52518</u>
6	<u>11</u>	<u>46504</u>	<u>48265</u>	<u>50026</u>	<u>51787</u>	<u>53548</u>	<u>55309</u>
7	<u>12</u>	<u>48945</u>	<u>50782</u>	<u>52619</u>	<u>54456</u>	<u>56293</u>	<u>58130</u>
8	<u>13</u>	<u>51710</u>	<u>53631</u>	<u>55552</u>	<u>57473</u>	<u>59394</u>	<u>61315</u>
9	<u>14</u>	<u>54531</u>	<u>56543</u>	<u>58555</u>	<u>60567</u>	<u>62579</u>	<u>64591</u>
10	<u>15</u>	<u>57520</u>	<u>59614</u>	<u>61708</u>	<u>63802</u>	<u>65896</u>	<u>67990</u>
11	<u>16</u>	<u>60617</u>	<u>62803</u>	<u>64989</u>	<u>67175</u>	<u>69361</u>	<u>71547</u>
12	<u>17</u>	<u>63874</u>	<u>66177</u>	<u>68480</u>	<u>70783</u>	<u>73086</u>	<u>75389</u>
13	<u>18</u>	<u>67356</u>	<u>69775</u>	<u>72194</u>	<u>74613</u>	<u>77032</u>	<u>79451</u>
14	<u>19</u>	<u>70886</u>	<u>73414</u>	<u>75942</u>	<u>78470</u>	<u>80998</u>	<u>83526</u>
15	<u>20</u>	<u>74391</u>	<u>77031</u>	<u>79671</u>	<u>82311</u>	<u>84951</u>	<u>87591</u>
16	<u>21</u>	<u>78247</u>	<u>80999</u>	<u>83751</u>	<u>86503</u>	<u>89255</u>	<u>92007</u>
17	<u>22</u>	<u>82287</u>	<u>85203</u>	<u>88119</u>	<u>91035</u>	<u>93951</u>	<u>96867</u>
18	<u>23</u>	<u>86595</u>	<u>89594</u>	<u>92593</u>	<u>95592</u>	<u>98591</u>	<u>101590</u>
19	<u>24</u>	<u>91136</u>	<u>94247</u>	<u>97358</u>	<u>100469</u>	<u>103580</u>	<u>106691</u>
20	<u>25</u>	<u>96071</u>	<u>99316</u>	<u>102561</u>	<u>105806</u>	<u>109051</u>	<u>112296</u>

						<u>Max</u>	
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>							
25	<u>1</u>	<u>35861</u>	<u>1113</u>	<u>37524</u>	<u>39187</u>	<u>42411</u>	<u>44074</u>
26	<u>2</u>	<u>37195</u>	<u>1174</u>	<u>38954</u>	<u>40713</u>	<u>44032</u>	<u>45795</u>
27	<u>3</u>	<u>38850</u>	<u>1224</u>	<u>40682</u>	<u>42517</u>	<u>45912</u>	<u>47749</u>
28	<u>4</u>	<u>40537</u>	<u>1289</u>	<u>42472</u>	<u>44402</u>	<u>47894</u>	<u>49824</u>
29	<u>5</u>	<u>42380</u>	<u>1358</u>	<u>44405</u>	<u>46436</u>	<u>50027</u>	<u>52059</u>
30	<u>6</u>	<u>44445</u>	<u>1426</u>	<u>46589</u>	<u>48725</u>	<u>52429</u>	<u>54569</u>
31	<u>7</u>	<u>46695</u>	<u>1487</u>	<u>48914</u>	<u>51137</u>	<u>54923</u>	<u>57148</u>
32	<u>8</u>	<u>49011</u>	<u>1543</u>	<u>51319</u>	<u>53634</u>	<u>57500</u>	<u>59815</u>
33	<u>9</u>	<u>51482</u>	<u>1609</u>	<u>53898</u>	<u>56312</u>	<u>60289</u>	<u>62706</u>
34	<u>10</u>	<u>54211</u>	<u>1693</u>	<u>56741</u>	<u>59271</u>	<u>63361</u>	<u>65896</u>
35	<u>11</u>	<u>57070</u>	<u>1761</u>	<u>59700</u>	<u>62337</u>	<u>66533</u>	<u>69170</u>
36	<u>12</u>	<u>59967</u>	<u>1837</u>	<u>62726</u>	<u>65488</u>	<u>69804</u>	<u>72562</u>
37	<u>13</u>	<u>63236</u>	<u>1921</u>	<u>66102</u>	<u>68974</u>	<u>73409</u>	<u>76282</u>
38	<u>14</u>	<u>66603</u>	<u>2012</u>	<u>69609</u>	<u>72623</u>	<u>77190</u>	<u>80203</u>
39	<u>15</u>	<u>70084</u>	<u>2094</u>	<u>73215</u>	<u>76353</u>	<u>81044</u>	<u>84179</u>
40	<u>16</u>	<u>73733</u>	<u>2186</u>	<u>77011</u>	<u>80289</u>	<u>85123</u>	<u>88398</u>
41	<u>17</u>	<u>77692</u>	<u>2303</u>	<u>81141</u>	<u>84587</u>	<u>89596</u>	<u>93044</u>
42	<u>18</u>	<u>81870</u>	<u>2419</u>	<u>85487</u>	<u>89117</u>	<u>94299</u>	<u>97926</u>
43	<u>19</u>	<u>86054</u>	<u>2528</u>	<u>89827</u>	<u>93611</u>	<u>98954</u>	<u>102738</u>
44	<u>20</u>	<u>90231</u>	<u>2640</u>	<u>94184</u>	<u>98144</u>	<u>103663</u>	<u>107624</u>
45	<u>21</u>	<u>94759</u>	<u>2752</u>	<u>98885</u>	<u>103010</u>	<u>108698</u>	<u>112825</u>
46	<u>22</u>	<u>99783</u>	<u>2916</u>	<u>104148</u>	<u>108514</u>	<u>114436</u>	<u>118802</u>
47	<u>23</u>	<u>104589</u>	<u>2999</u>	<u>109085</u>	<u>113584</u>	<u>119638</u>	<u>124136</u>
48	<u>24</u>	<u>109802</u>	<u>3111</u>	<u>114457</u>	<u>119120</u>	<u>125344</u>	<u>130004</u>
49	<u>25</u>	<u>115541</u>	<u>3245</u>	<u>120403</u>	<u>125259</u>	<u>131683</u>	<u>136543</u>

50 (6) Effective April first, two thousand twenty-one for officers and  
 51 employees on the administrative payroll and effective March twenty-  
 52 fifth, two thousand twenty-one for officers and employees on the insti-  
 53 tutional payroll:



		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
1						
2						
3						
4						
5						
6	<u>1</u>	<u>29767</u>	<u>30902</u>	<u>32037</u>	<u>33172</u>	<u>34307</u>
7	<u>2</u>	<u>30754</u>	<u>31952</u>	<u>33150</u>	<u>34348</u>	<u>35546</u>
8	<u>3</u>	<u>32136</u>	<u>33385</u>	<u>34634</u>	<u>35883</u>	<u>37132</u>
9	<u>4</u>	<u>33459</u>	<u>34774</u>	<u>36089</u>	<u>37404</u>	<u>38719</u>
10	<u>5</u>	<u>34917</u>	<u>36302</u>	<u>37687</u>	<u>39072</u>	<u>40457</u>
11	<u>6</u>	<u>36607</u>	<u>38062</u>	<u>39517</u>	<u>40972</u>	<u>42427</u>
12	<u>7</u>	<u>38528</u>	<u>40045</u>	<u>41562</u>	<u>43079</u>	<u>44596</u>
13	<u>8</u>	<u>40548</u>	<u>42122</u>	<u>43696</u>	<u>45270</u>	<u>46844</u>
14	<u>9</u>	<u>42665</u>	<u>44306</u>	<u>45947</u>	<u>47588</u>	<u>49229</u>
15	<u>10</u>	<u>44934</u>	<u>46661</u>	<u>48388</u>	<u>50115</u>	<u>51842</u>
16	<u>11</u>	<u>47434</u>	<u>49230</u>	<u>51026</u>	<u>52822</u>	<u>54618</u>
17	<u>12</u>	<u>49924</u>	<u>51798</u>	<u>53672</u>	<u>55546</u>	<u>57420</u>
18	<u>13</u>	<u>52744</u>	<u>54704</u>	<u>56664</u>	<u>58624</u>	<u>60584</u>
19	<u>14</u>	<u>55622</u>	<u>57674</u>	<u>59726</u>	<u>61778</u>	<u>63830</u>
20	<u>15</u>	<u>58670</u>	<u>60806</u>	<u>62942</u>	<u>65078</u>	<u>67214</u>
21	<u>16</u>	<u>61829</u>	<u>64059</u>	<u>66289</u>	<u>68519</u>	<u>70749</u>
22	<u>17</u>	<u>65151</u>	<u>67500</u>	<u>69849</u>	<u>72198</u>	<u>74547</u>
23	<u>18</u>	<u>68703</u>	<u>71170</u>	<u>73637</u>	<u>76104</u>	<u>78571</u>
24	<u>19</u>	<u>72304</u>	<u>74883</u>	<u>77462</u>	<u>80041</u>	<u>82620</u>
25	<u>20</u>	<u>75879</u>	<u>78572</u>	<u>81265</u>	<u>83958</u>	<u>86651</u>
26	<u>21</u>	<u>79812</u>	<u>82619</u>	<u>85426</u>	<u>88233</u>	<u>91040</u>
27	<u>22</u>	<u>83933</u>	<u>86907</u>	<u>89881</u>	<u>92855</u>	<u>95829</u>
28	<u>23</u>	<u>88327</u>	<u>91386</u>	<u>94445</u>	<u>97504</u>	<u>100563</u>
29	<u>24</u>	<u>92959</u>	<u>96132</u>	<u>99305</u>	<u>102478</u>	<u>105651</u>
30	<u>25</u>	<u>97992</u>	<u>101302</u>	<u>104612</u>	<u>107922</u>	<u>111232</u>
31						<u>Max</u>
32			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
33		<u>Job</u>	<u>Perf.</u>			
34	<u>SG</u>	<u>Rate</u>	<u>Adv.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
35	<u>1</u>	<u>36577</u>	<u>1135</u>	<u>38274</u>	<u>39971</u>	<u>43259</u>
36	<u>2</u>	<u>37942</u>	<u>1198</u>	<u>39733</u>	<u>41527</u>	<u>44913</u>
37	<u>3</u>	<u>39630</u>	<u>1249</u>	<u>41496</u>	<u>43367</u>	<u>46830</u>
38	<u>4</u>	<u>41349</u>	<u>1315</u>	<u>43321</u>	<u>45290</u>	<u>48852</u>
39	<u>5</u>	<u>43227</u>	<u>1385</u>	<u>45293</u>	<u>47365</u>	<u>51028</u>
40	<u>6</u>	<u>45337</u>	<u>1455</u>	<u>47521</u>	<u>49700</u>	<u>53478</u>
41	<u>7</u>	<u>47630</u>	<u>1517</u>	<u>49892</u>	<u>52160</u>	<u>56021</u>
42	<u>8</u>	<u>49992</u>	<u>1574</u>	<u>52345</u>	<u>54707</u>	<u>58650</u>
43	<u>9</u>	<u>52511</u>	<u>1641</u>	<u>54976</u>	<u>57438</u>	<u>61495</u>
44	<u>10</u>	<u>55296</u>	<u>1727</u>	<u>57876</u>	<u>60456</u>	<u>64628</u>
45	<u>11</u>	<u>58210</u>	<u>1796</u>	<u>60894</u>	<u>63584</u>	<u>67864</u>
46	<u>12</u>	<u>61168</u>	<u>1874</u>	<u>63981</u>	<u>66798</u>	<u>71200</u>
47	<u>13</u>	<u>64504</u>	<u>1960</u>	<u>67424</u>	<u>70353</u>	<u>74877</u>
48	<u>14</u>	<u>67934</u>	<u>2052</u>	<u>71001</u>	<u>74075</u>	<u>78734</u>
49	<u>15</u>	<u>71486</u>	<u>2136</u>	<u>74679</u>	<u>77880</u>	<u>82665</u>
50	<u>16</u>	<u>75209</u>	<u>2230</u>	<u>78551</u>	<u>81895</u>	<u>86825</u>
51	<u>17</u>	<u>79245</u>	<u>2349</u>	<u>82764</u>	<u>86279</u>	<u>91388</u>
52	<u>18</u>	<u>83505</u>	<u>2467</u>	<u>87197</u>	<u>90899</u>	<u>96185</u>
53	<u>19</u>	<u>87778</u>	<u>2579</u>	<u>91624</u>	<u>95483</u>	<u>100933</u>
54	<u>20</u>	<u>92037</u>	<u>2693</u>	<u>96068</u>	<u>100107</u>	<u>105736</u>

1	<u>21</u>	<u>96654</u>	<u>2807</u>	<u>100863</u>	<u>105070</u>	<u>110872</u>	<u>115082</u>
2	<u>22</u>	<u>101777</u>	<u>2974</u>	<u>106231</u>	<u>110684</u>	<u>116725</u>	<u>121178</u>
3	<u>23</u>	<u>106681</u>	<u>3059</u>	<u>111267</u>	<u>115856</u>	<u>122031</u>	<u>126619</u>
4	<u>24</u>	<u>111997</u>	<u>3173</u>	<u>116746</u>	<u>121502</u>	<u>127851</u>	<u>132604</u>
5	<u>25</u>	<u>117852</u>	<u>3310</u>	<u>122811</u>	<u>127764</u>	<u>134317</u>	<u>139274</u>

6 (7) Effective September thirtieth, two thousand twenty-one for offi-  
 7 cers and employees on the administrative payroll and effective October  
 8 seventh, two thousand twenty-one for officers and employees on the  
 9 institutional payroll:

10		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
11		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
12		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
13		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
14	<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
15	<u>1</u>	<u>29767</u>	<u>30902</u>	<u>32037</u>	<u>33172</u>	<u>34307</u>	<u>35442</u>
16	<u>2</u>	<u>30754</u>	<u>31952</u>	<u>33150</u>	<u>34348</u>	<u>35546</u>	<u>36744</u>
17	<u>3</u>	<u>32136</u>	<u>33385</u>	<u>34634</u>	<u>35883</u>	<u>37132</u>	<u>38381</u>
18	<u>4</u>	<u>33459</u>	<u>34774</u>	<u>36089</u>	<u>37404</u>	<u>38719</u>	<u>40034</u>
19	<u>5</u>	<u>34917</u>	<u>36302</u>	<u>37687</u>	<u>39072</u>	<u>40457</u>	<u>41842</u>
20	<u>6</u>	<u>36607</u>	<u>38062</u>	<u>39517</u>	<u>40972</u>	<u>42427</u>	<u>43882</u>
21	<u>7</u>	<u>38528</u>	<u>40045</u>	<u>41562</u>	<u>43079</u>	<u>44596</u>	<u>46113</u>
22	<u>8</u>	<u>40548</u>	<u>42122</u>	<u>43696</u>	<u>45270</u>	<u>46844</u>	<u>48418</u>
23	<u>9</u>	<u>42665</u>	<u>44306</u>	<u>45947</u>	<u>47588</u>	<u>49229</u>	<u>50870</u>
24	<u>10</u>	<u>44934</u>	<u>46661</u>	<u>48388</u>	<u>50115</u>	<u>51842</u>	<u>53569</u>
25	<u>11</u>	<u>47434</u>	<u>49230</u>	<u>51026</u>	<u>52822</u>	<u>54618</u>	<u>56414</u>
26	<u>12</u>	<u>49924</u>	<u>51798</u>	<u>53672</u>	<u>55546</u>	<u>57420</u>	<u>59294</u>
27	<u>13</u>	<u>52744</u>	<u>54704</u>	<u>56664</u>	<u>58624</u>	<u>60584</u>	<u>62544</u>
28	<u>14</u>	<u>55622</u>	<u>57674</u>	<u>59726</u>	<u>61778</u>	<u>63830</u>	<u>65882</u>
29	<u>15</u>	<u>58670</u>	<u>60806</u>	<u>62942</u>	<u>65078</u>	<u>67214</u>	<u>69350</u>
30	<u>16</u>	<u>61829</u>	<u>64059</u>	<u>66289</u>	<u>68519</u>	<u>70749</u>	<u>72979</u>
31	<u>17</u>	<u>65151</u>	<u>67500</u>	<u>69849</u>	<u>72198</u>	<u>74547</u>	<u>76896</u>
32	<u>18</u>	<u>68703</u>	<u>71170</u>	<u>73637</u>	<u>76104</u>	<u>78571</u>	<u>81038</u>
33	<u>19</u>	<u>72304</u>	<u>74883</u>	<u>77462</u>	<u>80041</u>	<u>82620</u>	<u>85199</u>
34	<u>20</u>	<u>75879</u>	<u>78572</u>	<u>81265</u>	<u>83958</u>	<u>86651</u>	<u>89344</u>
35	<u>21</u>	<u>79812</u>	<u>82619</u>	<u>85426</u>	<u>88233</u>	<u>91040</u>	<u>93847</u>
36	<u>22</u>	<u>83933</u>	<u>86907</u>	<u>89881</u>	<u>92855</u>	<u>95829</u>	<u>98803</u>
37	<u>23</u>	<u>88327</u>	<u>91386</u>	<u>94445</u>	<u>97504</u>	<u>100563</u>	<u>103622</u>
38	<u>24</u>	<u>92959</u>	<u>96132</u>	<u>99305</u>	<u>102478</u>	<u>105651</u>	<u>108824</u>
39	<u>25</u>	<u>97992</u>	<u>101302</u>	<u>104612</u>	<u>107922</u>	<u>111232</u>	<u>114542</u>

40						<u>Max</u>	
41			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
42		<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
43	<u>SG</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
44	<u>1</u>	<u>36577</u>	<u>1135</u>	<u>38274</u>	<u>39971</u>	<u>43259</u>	<u>45455</u>
45	<u>2</u>	<u>37942</u>	<u>1198</u>	<u>39733</u>	<u>41527</u>	<u>44913</u>	<u>47211</u>
46	<u>3</u>	<u>39630</u>	<u>1249</u>	<u>41496</u>	<u>43367</u>	<u>46830</u>	<u>49204</u>
47	<u>4</u>	<u>41349</u>	<u>1315</u>	<u>43321</u>	<u>45290</u>	<u>48852</u>	<u>51320</u>
48	<u>5</u>	<u>43227</u>	<u>1385</u>	<u>45293</u>	<u>47365</u>	<u>51028</u>	<u>53600</u>
49	<u>6</u>	<u>45337</u>	<u>1455</u>	<u>47521</u>	<u>49700</u>	<u>53478</u>	<u>56160</u>
50	<u>7</u>	<u>47630</u>	<u>1517</u>	<u>49892</u>	<u>52160</u>	<u>56021</u>	<u>58791</u>
51	<u>8</u>	<u>49992</u>	<u>1574</u>	<u>52345</u>	<u>54707</u>	<u>58650</u>	<u>61511</u>

1	<u>9</u>	<u>52511</u>	<u>1641</u>	<u>54976</u>	<u>57438</u>	<u>61495</u>	<u>64460</u>
2	<u>10</u>	<u>55296</u>	<u>1727</u>	<u>57876</u>	<u>60456</u>	<u>64628</u>	<u>67714</u>
3	<u>11</u>	<u>58210</u>	<u>1796</u>	<u>60894</u>	<u>63584</u>	<u>67864</u>	<u>71053</u>
4	<u>12</u>	<u>61168</u>	<u>1874</u>	<u>63981</u>	<u>66798</u>	<u>71200</u>	<u>74513</u>
5	<u>13</u>	<u>64504</u>	<u>1960</u>	<u>67424</u>	<u>70353</u>	<u>74877</u>	<u>78308</u>
6	<u>14</u>	<u>67934</u>	<u>2052</u>	<u>71001</u>	<u>74075</u>	<u>78734</u>	<u>82307</u>
7	<u>15</u>	<u>71486</u>	<u>2136</u>	<u>74679</u>	<u>77880</u>	<u>82665</u>	<u>86363</u>
8	<u>16</u>	<u>75209</u>	<u>2230</u>	<u>78551</u>	<u>81895</u>	<u>86825</u>	<u>90666</u>
9	<u>17</u>	<u>79245</u>	<u>2349</u>	<u>82764</u>	<u>86279</u>	<u>91388</u>	<u>95405</u>
10	<u>18</u>	<u>83505</u>	<u>2467</u>	<u>87197</u>	<u>90899</u>	<u>96185</u>	<u>100385</u>
11	<u>19</u>	<u>87778</u>	<u>2579</u>	<u>91624</u>	<u>95483</u>	<u>100933</u>	<u>105293</u>
12	<u>20</u>	<u>92037</u>	<u>2693</u>	<u>96068</u>	<u>100107</u>	<u>105736</u>	<u>110276</u>
13	<u>21</u>	<u>96654</u>	<u>2807</u>	<u>100863</u>	<u>105070</u>	<u>110872</u>	<u>115582</u>
14	<u>22</u>	<u>101777</u>	<u>2974</u>	<u>106231</u>	<u>110684</u>	<u>116725</u>	<u>121678</u>
15	<u>23</u>	<u>106681</u>	<u>3059</u>	<u>111267</u>	<u>115856</u>	<u>122031</u>	<u>127119</u>
16	<u>24</u>	<u>111997</u>	<u>3173</u>	<u>116746</u>	<u>121502</u>	<u>127851</u>	<u>133104</u>
17	<u>25</u>	<u>117852</u>	<u>3310</u>	<u>122811</u>	<u>127764</u>	<u>134317</u>	<u>139774</u>

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

22		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
23		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
24	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
25	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
26	<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	
			<u>5</u>				
27	<u>1</u>	<u>30362</u>	<u>31520</u>	<u>32678</u>	<u>33836</u>	<u>34994</u>	<u>36152</u>
28	<u>2</u>	<u>31369</u>	<u>32591</u>	<u>33813</u>	<u>35035</u>	<u>36257</u>	<u>37479</u>
29	<u>3</u>	<u>32779</u>	<u>34053</u>	<u>35327</u>	<u>36601</u>	<u>37875</u>	<u>39149</u>
30	<u>4</u>	<u>34128</u>	<u>35469</u>	<u>36810</u>	<u>38151</u>	<u>39492</u>	<u>40833</u>
31	<u>5</u>	<u>35615</u>	<u>37028</u>	<u>38441</u>	<u>39854</u>	<u>41267</u>	<u>42680</u>
32	<u>6</u>	<u>37339</u>	<u>38823</u>	<u>40307</u>	<u>41791</u>	<u>43275</u>	<u>44759</u>
33	<u>7</u>	<u>39299</u>	<u>40846</u>	<u>42393</u>	<u>43940</u>	<u>45487</u>	<u>47034</u>
34	<u>8</u>	<u>41359</u>	<u>42965</u>	<u>44571</u>	<u>46177</u>	<u>47783</u>	<u>49389</u>
35	<u>9</u>	<u>43518</u>	<u>45192</u>	<u>46866</u>	<u>48540</u>	<u>50214</u>	<u>51888</u>
36	<u>10</u>	<u>45833</u>	<u>47595</u>	<u>49357</u>	<u>51119</u>	<u>52881</u>	<u>54643</u>
37	<u>11</u>	<u>48383</u>	<u>50215</u>	<u>52047</u>	<u>53879</u>	<u>55711</u>	<u>57543</u>
38	<u>12</u>	<u>50922</u>	<u>52834</u>	<u>54746</u>	<u>56658</u>	<u>58570</u>	<u>60482</u>
39	<u>13</u>	<u>53799</u>	<u>55798</u>	<u>57797</u>	<u>59796</u>	<u>61795</u>	<u>63794</u>
40	<u>14</u>	<u>56734</u>	<u>58827</u>	<u>60920</u>	<u>63013</u>	<u>65106</u>	<u>67199</u>
41	<u>15</u>	<u>59843</u>	<u>62022</u>	<u>64201</u>	<u>66380</u>	<u>68559</u>	<u>70738</u>
42	<u>16</u>	<u>63066</u>	<u>65341</u>	<u>67616</u>	<u>69891</u>	<u>72166</u>	<u>74441</u>
43	<u>17</u>	<u>66454</u>	<u>68850</u>	<u>71246</u>	<u>73642</u>	<u>76038</u>	<u>78434</u>
44	<u>18</u>	<u>70077</u>	<u>72593</u>	<u>75109</u>	<u>77625</u>	<u>80141</u>	<u>82657</u>
45	<u>19</u>	<u>73750</u>	<u>76381</u>	<u>79012</u>	<u>81643</u>	<u>84274</u>	<u>86905</u>
46	<u>20</u>	<u>77397</u>	<u>80144</u>	<u>82891</u>	<u>85638</u>	<u>88385</u>	<u>91132</u>
47	<u>21</u>	<u>81408</u>	<u>84271</u>	<u>87134</u>	<u>89997</u>	<u>92860</u>	<u>95723</u>
48	<u>22</u>	<u>85612</u>	<u>88646</u>	<u>91680</u>	<u>94714</u>	<u>97748</u>	<u>100782</u>
49	<u>23</u>	<u>90094</u>	<u>93214</u>	<u>96334</u>	<u>99454</u>	<u>102574</u>	<u>105694</u>
50	<u>24</u>	<u>94818</u>	<u>98055</u>	<u>101292</u>	<u>104529</u>	<u>107766</u>	<u>111003</u>
51	<u>25</u>	<u>99952</u>	<u>103328</u>	<u>106704</u>	<u>110080</u>	<u>113456</u>	<u>116832</u>

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Max

			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>							
1	<u>1</u>	<u>37310</u>	<u>1158</u>	<u>39039</u>	<u>40770</u>	<u>44124</u>	<u>46364</u>
2	<u>2</u>	<u>38701</u>	<u>1222</u>	<u>40528</u>	<u>42358</u>	<u>45811</u>	<u>48155</u>
3	<u>3</u>	<u>40423</u>	<u>1274</u>	<u>42326</u>	<u>44234</u>	<u>47767</u>	<u>50188</u>
4	<u>4</u>	<u>42174</u>	<u>1341</u>	<u>44187</u>	<u>46196</u>	<u>49829</u>	<u>52346</u>
5	<u>5</u>	<u>44093</u>	<u>1413</u>	<u>46199</u>	<u>48312</u>	<u>52049</u>	<u>54672</u>
6	<u>6</u>	<u>46243</u>	<u>1484</u>	<u>48471</u>	<u>50694</u>	<u>54548</u>	<u>57283</u>
7	<u>7</u>	<u>48581</u>	<u>1547</u>	<u>50890</u>	<u>53203</u>	<u>57141</u>	<u>59967</u>
8	<u>8</u>	<u>50995</u>	<u>1606</u>	<u>53392</u>	<u>55801</u>	<u>59823</u>	<u>62741</u>
9	<u>9</u>	<u>53562</u>	<u>1674</u>	<u>56076</u>	<u>58587</u>	<u>62725</u>	<u>65749</u>
10	<u>10</u>	<u>56405</u>	<u>1762</u>	<u>59034</u>	<u>61665</u>	<u>65921</u>	<u>69068</u>
11	<u>11</u>	<u>59375</u>	<u>1832</u>	<u>62112</u>	<u>64856</u>	<u>69221</u>	<u>72474</u>
12	<u>12</u>	<u>62394</u>	<u>1912</u>	<u>65261</u>	<u>68134</u>	<u>72624</u>	<u>76003</u>
13	<u>13</u>	<u>65793</u>	<u>1999</u>	<u>68772</u>	<u>71760</u>	<u>76375</u>	<u>79874</u>
14	<u>14</u>	<u>69292</u>	<u>2093</u>	<u>72421</u>	<u>75557</u>	<u>80309</u>	<u>83953</u>
15	<u>15</u>	<u>72917</u>	<u>2179</u>	<u>76173</u>	<u>79438</u>	<u>84318</u>	<u>88090</u>
16	<u>16</u>	<u>76716</u>	<u>2275</u>	<u>80122</u>	<u>83533</u>	<u>88562</u>	<u>92479</u>
17	<u>17</u>	<u>80830</u>	<u>2396</u>	<u>84419</u>	<u>88005</u>	<u>93216</u>	<u>97313</u>
18	<u>18</u>	<u>85173</u>	<u>2516</u>	<u>88941</u>	<u>92717</u>	<u>98109</u>	<u>102393</u>
19	<u>19</u>	<u>89536</u>	<u>2631</u>	<u>93456</u>	<u>97393</u>	<u>102952</u>	<u>107399</u>
20	<u>20</u>	<u>93879</u>	<u>2747</u>	<u>97989</u>	<u>102109</u>	<u>107851</u>	<u>112482</u>
21	<u>21</u>	<u>98586</u>	<u>2863</u>	<u>102880</u>	<u>107171</u>	<u>113089</u>	<u>117894</u>
22	<u>22</u>	<u>103816</u>	<u>3034</u>	<u>108356</u>	<u>112898</u>	<u>119060</u>	<u>124112</u>
23	<u>23</u>	<u>108814</u>	<u>3120</u>	<u>113492</u>	<u>118173</u>	<u>124472</u>	<u>129661</u>
24	<u>24</u>	<u>114240</u>	<u>3237</u>	<u>119081</u>	<u>123932</u>	<u>130408</u>	<u>135766</u>
25	<u>25</u>	<u>120208</u>	<u>3376</u>	<u>125267</u>	<u>130319</u>	<u>137003</u>	<u>142569</u>

29 § 2. Paragraph b of subdivision 1 of section 130 of the civil service  
30 law is REPEALED and a new paragraph b is added to read as follows:

31 b. Pursuant to the terms of an agreement between the state and an  
32 employee organization entered into pursuant to article fourteen of this  
33 chapter covering members of the collective negotiating unit designated  
34 as security supervisors who are not eligible for binding interest arbi-  
35 tration pursuant to subdivision four of section two hundred nine of this  
36 chapter, salary grades for positions in the competitive, non-competitive  
37 and labor classes shall be as follows:

38 (1) Effective April seventh, two thousand sixteen for officers and  
39 employees on the administrative payroll and effective March thirty-  
40 first, two thousand sixteen for officers and employees on the institu-  
41 tional payroll:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
42	<u>1</u>	<u>24764</u>	<u>25766</u>	<u>26768</u>	<u>27770</u>	<u>28772</u>	<u>29774</u>
43	<u>2</u>	<u>25635</u>	<u>26690</u>	<u>27745</u>	<u>28800</u>	<u>29855</u>	<u>30910</u>
44	<u>3</u>	<u>26854</u>	<u>27955</u>	<u>29056</u>	<u>30157</u>	<u>31258</u>	<u>32359</u>
45	<u>4</u>	<u>28020</u>	<u>29180</u>	<u>30340</u>	<u>31500</u>	<u>32660</u>	<u>33820</u>
46	<u>5</u>	<u>29306</u>	<u>30524</u>	<u>31742</u>	<u>32960</u>	<u>34178</u>	<u>35396</u>
47	<u>6</u>	<u>30795</u>	<u>32079</u>	<u>33363</u>	<u>34647</u>	<u>35931</u>	<u>37215</u>
48	<u>7</u>	<u>32488</u>	<u>33822</u>	<u>35156</u>	<u>36490</u>	<u>37824</u>	<u>39158</u>

1	<u>8</u>	<u>34270</u>	<u>35656</u>	<u>37042</u>	<u>38428</u>	<u>39814</u>	<u>41200</u>
2	<u>9</u>	<u>36134</u>	<u>37581</u>	<u>39028</u>	<u>40475</u>	<u>41922</u>	<u>43369</u>
3	<u>10</u>	<u>38136</u>	<u>39657</u>	<u>41178</u>	<u>42699</u>	<u>44220</u>	<u>45741</u>
4	<u>11</u>	<u>40337</u>	<u>41920</u>	<u>43503</u>	<u>45086</u>	<u>46669</u>	<u>48252</u>
5	<u>12</u>	<u>42534</u>	<u>44186</u>	<u>45838</u>	<u>47490</u>	<u>49142</u>	<u>50794</u>
6	<u>13</u>	<u>45019</u>	<u>46745</u>	<u>48471</u>	<u>50197</u>	<u>51923</u>	<u>53649</u>
7	<u>14</u>	<u>47556</u>	<u>49366</u>	<u>51176</u>	<u>52986</u>	<u>54796</u>	<u>56606</u>
8	<u>15</u>	<u>50243</u>	<u>52125</u>	<u>54007</u>	<u>55889</u>	<u>57771</u>	<u>59653</u>
9	<u>16</u>	<u>53027</u>	<u>54995</u>	<u>56963</u>	<u>58931</u>	<u>60899</u>	<u>62867</u>
10	<u>17</u>	<u>55959</u>	<u>58031</u>	<u>60103</u>	<u>62175</u>	<u>64247</u>	<u>66319</u>
11	<u>18</u>	<u>59088</u>	<u>61264</u>	<u>63440</u>	<u>65616</u>	<u>67792</u>	<u>69968</u>
12	<u>19</u>	<u>62261</u>	<u>64532</u>	<u>66803</u>	<u>69074</u>	<u>71345</u>	<u>73616</u>
13	<u>20</u>	<u>65411</u>	<u>67785</u>	<u>70159</u>	<u>72533</u>	<u>74907</u>	<u>77281</u>
14	<u>21</u>	<u>68882</u>	<u>71357</u>	<u>73832</u>	<u>76307</u>	<u>78782</u>	<u>81257</u>
15	<u>22</u>	<u>72513</u>	<u>75132</u>	<u>77751</u>	<u>80370</u>	<u>82989</u>	<u>85608</u>
16	<u>23</u>	<u>76386</u>	<u>79082</u>	<u>81778</u>	<u>84474</u>	<u>87170</u>	<u>89866</u>
17	<u>24</u>	<u>80468</u>	<u>83266</u>	<u>86064</u>	<u>88862</u>	<u>91660</u>	<u>94458</u>
18	<u>25</u>	<u>84905</u>	<u>87821</u>	<u>90737</u>	<u>93653</u>	<u>96569</u>	<u>99485</u>

19							<u>Max</u>
20			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
21	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
22	<u>SG</u>	<u>Rate</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
23	<u>1</u>	<u>30776</u>	<u>1002</u>	<u>32583</u>	<u>34173</u>	<u>37047</u>	<u>38639</u>
24	<u>2</u>	<u>31965</u>	<u>1055</u>	<u>33875</u>	<u>35558</u>	<u>38511</u>	<u>40194</u>
25	<u>3</u>	<u>33460</u>	<u>1101</u>	<u>35452</u>	<u>37209</u>	<u>40223</u>	<u>41980</u>
26	<u>4</u>	<u>34980</u>	<u>1160</u>	<u>37218</u>	<u>38921</u>	<u>42018</u>	<u>43721</u>
27	<u>5</u>	<u>36614</u>	<u>1218</u>	<u>38820</u>	<u>40759</u>	<u>43940</u>	<u>45881</u>
28	<u>6</u>	<u>38499</u>	<u>1284</u>	<u>40824</u>	<u>42872</u>	<u>46142</u>	<u>48190</u>
29	<u>7</u>	<u>40492</u>	<u>1334</u>	<u>42910</u>	<u>45037</u>	<u>48377</u>	<u>50502</u>
30	<u>8</u>	<u>42586</u>	<u>1386</u>	<u>45097</u>	<u>47310</u>	<u>50718</u>	<u>52930</u>
31	<u>9</u>	<u>44816</u>	<u>1447</u>	<u>47441</u>	<u>49753</u>	<u>53253</u>	<u>55561</u>
32	<u>10</u>	<u>47262</u>	<u>1521</u>	<u>50011</u>	<u>52432</u>	<u>56025</u>	<u>58446</u>
33	<u>11</u>	<u>49835</u>	<u>1583</u>	<u>52699</u>	<u>55220</u>	<u>58901</u>	<u>61421</u>
34	<u>12</u>	<u>52446</u>	<u>1652</u>	<u>55447</u>	<u>58082</u>	<u>61862</u>	<u>64502</u>
35	<u>13</u>	<u>55375</u>	<u>1726</u>	<u>58495</u>	<u>61243</u>	<u>65119</u>	<u>67867</u>
36	<u>14</u>	<u>58416</u>	<u>1810</u>	<u>61685</u>	<u>64563</u>	<u>68552</u>	<u>71432</u>
37	<u>15</u>	<u>61535</u>	<u>1882</u>	<u>64939</u>	<u>67938</u>	<u>72034</u>	<u>75031</u>
38	<u>16</u>	<u>64835</u>	<u>1968</u>	<u>68392</u>	<u>71528</u>	<u>75735</u>	<u>78869</u>
39	<u>17</u>	<u>68391</u>	<u>2072</u>	<u>72137</u>	<u>75432</u>	<u>79787</u>	<u>83085</u>
40	<u>18</u>	<u>72144</u>	<u>2176</u>	<u>76081</u>	<u>79548</u>	<u>84050</u>	<u>87520</u>
41	<u>19</u>	<u>75887</u>	<u>2271</u>	<u>79997</u>	<u>83616</u>	<u>88247</u>	<u>91866</u>
42	<u>20</u>	<u>79655</u>	<u>2374</u>	<u>83955</u>	<u>87738</u>	<u>92520</u>	<u>96306</u>
43	<u>21</u>	<u>83732</u>	<u>2475</u>	<u>88215</u>	<u>92162</u>	<u>97077</u>	<u>101023</u>
44	<u>22</u>	<u>88227</u>	<u>2619</u>	<u>92972</u>	<u>97143</u>	<u>102258</u>	<u>106431</u>
45	<u>23</u>	<u>92562</u>	<u>2696</u>	<u>97447</u>	<u>101748</u>	<u>106969</u>	<u>111272</u>
46	<u>24</u>	<u>97256</u>	<u>2798</u>	<u>102319</u>	<u>106776</u>	<u>112137</u>	<u>116596</u>
47	<u>25</u>	<u>102401</u>	<u>2916</u>	<u>107683</u>	<u>112332</u>	<u>117855</u>	<u>122503</u>

48 (2) Effective April sixth, two thousand seventeen for officers and  
 49 employees on the administrative payroll and effective March thirtieth,  
 50 two thousand seventeen for officers and employees on the institutional  
 51 payroll:

52		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
53		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>

	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
1							
2							
3	<u>SG</u>						
4	<u>1</u>	<u>25259</u>	<u>26281</u>	<u>27303</u>	<u>28325</u>	<u>29347</u>	<u>30369</u>
5	<u>2</u>	<u>26148</u>	<u>27224</u>	<u>28300</u>	<u>29376</u>	<u>30452</u>	<u>31528</u>
6	<u>3</u>	<u>27391</u>	<u>28514</u>	<u>29637</u>	<u>30760</u>	<u>31883</u>	<u>33006</u>
7	<u>4</u>	<u>28580</u>	<u>29763</u>	<u>30946</u>	<u>32129</u>	<u>33312</u>	<u>34495</u>
8	<u>5</u>	<u>29892</u>	<u>31134</u>	<u>32376</u>	<u>33618</u>	<u>34860</u>	<u>36102</u>
9	<u>6</u>	<u>31411</u>	<u>32721</u>	<u>34031</u>	<u>35341</u>	<u>36651</u>	<u>37961</u>
10	<u>7</u>	<u>33138</u>	<u>34499</u>	<u>35860</u>	<u>37221</u>	<u>38582</u>	<u>39943</u>
11	<u>8</u>	<u>34955</u>	<u>36369</u>	<u>37783</u>	<u>39197</u>	<u>40611</u>	<u>42025</u>
12	<u>9</u>	<u>36857</u>	<u>38333</u>	<u>39809</u>	<u>41285</u>	<u>42761</u>	<u>44237</u>
13	<u>10</u>	<u>38899</u>	<u>40450</u>	<u>42001</u>	<u>43552</u>	<u>45103</u>	<u>46654</u>
14	<u>11</u>	<u>41144</u>	<u>42759</u>	<u>44374</u>	<u>45989</u>	<u>47604</u>	<u>49219</u>
15	<u>12</u>	<u>43385</u>	<u>45070</u>	<u>46755</u>	<u>48440</u>	<u>50125</u>	<u>51810</u>
16	<u>13</u>	<u>45919</u>	<u>47680</u>	<u>49441</u>	<u>51202</u>	<u>52963</u>	<u>54724</u>
17	<u>14</u>	<u>48507</u>	<u>50353</u>	<u>52199</u>	<u>54045</u>	<u>55891</u>	<u>57737</u>
18	<u>15</u>	<u>51248</u>	<u>53168</u>	<u>55088</u>	<u>57008</u>	<u>58928</u>	<u>60848</u>
19	<u>16</u>	<u>54088</u>	<u>56095</u>	<u>58102</u>	<u>60109</u>	<u>62116</u>	<u>64123</u>
20	<u>17</u>	<u>57078</u>	<u>59192</u>	<u>61306</u>	<u>63420</u>	<u>65534</u>	<u>67648</u>
21	<u>18</u>	<u>60270</u>	<u>62490</u>	<u>64710</u>	<u>66930</u>	<u>69150</u>	<u>71370</u>
22	<u>19</u>	<u>63506</u>	<u>65823</u>	<u>68140</u>	<u>70457</u>	<u>72774</u>	<u>75091</u>
23	<u>20</u>	<u>66719</u>	<u>69141</u>	<u>71563</u>	<u>73985</u>	<u>76407</u>	<u>78829</u>
24	<u>21</u>	<u>70260</u>	<u>72785</u>	<u>75310</u>	<u>77835</u>	<u>80360</u>	<u>82885</u>
25	<u>22</u>	<u>73963</u>	<u>76635</u>	<u>79307</u>	<u>81979</u>	<u>84651</u>	<u>87323</u>
26	<u>23</u>	<u>77914</u>	<u>80664</u>	<u>83414</u>	<u>86164</u>	<u>88914</u>	<u>91664</u>
27	<u>24</u>	<u>82077</u>	<u>84931</u>	<u>87785</u>	<u>90639</u>	<u>93493</u>	<u>96347</u>
28	<u>25</u>	<u>86603</u>	<u>89577</u>	<u>92551</u>	<u>95525</u>	<u>98499</u>	<u>101473</u>
29						<u>Max</u>	
30			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
31		<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
32	<u>SG</u>	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
33	<u>1</u>	<u>31391</u>	<u>1022</u>	<u>33235</u>	<u>34856</u>	<u>37788</u>	<u>39412</u>
34	<u>2</u>	<u>32604</u>	<u>1076</u>	<u>34553</u>	<u>36269</u>	<u>39281</u>	<u>40998</u>
35	<u>3</u>	<u>34129</u>	<u>1123</u>	<u>36161</u>	<u>37953</u>	<u>41027</u>	<u>42820</u>
36	<u>4</u>	<u>35678</u>	<u>1183</u>	<u>37962</u>	<u>39699</u>	<u>42858</u>	<u>44595</u>
37	<u>5</u>	<u>37344</u>	<u>1242</u>	<u>39596</u>	<u>41574</u>	<u>44819</u>	<u>46799</u>
38	<u>6</u>	<u>39271</u>	<u>1310</u>	<u>41640</u>	<u>43729</u>	<u>47065</u>	<u>49154</u>
39	<u>7</u>	<u>41304</u>	<u>1361</u>	<u>43768</u>	<u>45938</u>	<u>49345</u>	<u>51512</u>
40	<u>8</u>	<u>43439</u>	<u>1414</u>	<u>45999</u>	<u>48256</u>	<u>51732</u>	<u>53989</u>
41	<u>9</u>	<u>45713</u>	<u>1476</u>	<u>48390</u>	<u>50748</u>	<u>54318</u>	<u>56672</u>
42	<u>10</u>	<u>48205</u>	<u>1551</u>	<u>51011</u>	<u>53481</u>	<u>57146</u>	<u>59615</u>
43	<u>11</u>	<u>50834</u>	<u>1615</u>	<u>53753</u>	<u>56324</u>	<u>60079</u>	<u>62649</u>
44	<u>12</u>	<u>53495</u>	<u>1685</u>	<u>56556</u>	<u>59244</u>	<u>63099</u>	<u>65792</u>
45	<u>13</u>	<u>56485</u>	<u>1761</u>	<u>59665</u>	<u>62468</u>	<u>66421</u>	<u>69224</u>
46	<u>14</u>	<u>59583</u>	<u>1846</u>	<u>62919</u>	<u>65854</u>	<u>69923</u>	<u>72861</u>
47	<u>15</u>	<u>62768</u>	<u>1920</u>	<u>66238</u>	<u>69297</u>	<u>73475</u>	<u>76532</u>
48	<u>16</u>	<u>66130</u>	<u>2007</u>	<u>69760</u>	<u>72959</u>	<u>77250</u>	<u>80446</u>
49	<u>17</u>	<u>69762</u>	<u>2114</u>	<u>73580</u>	<u>76941</u>	<u>81383</u>	<u>84747</u>
50	<u>18</u>	<u>73590</u>	<u>2220</u>	<u>77603</u>	<u>81139</u>	<u>85731</u>	<u>89270</u>
51	<u>19</u>	<u>77408</u>	<u>2317</u>	<u>81597</u>	<u>85288</u>	<u>90012</u>	<u>93703</u>
52	<u>20</u>	<u>81251</u>	<u>2422</u>	<u>85634</u>	<u>89493</u>	<u>94370</u>	<u>98232</u>
53	<u>21</u>	<u>85410</u>	<u>2525</u>	<u>89979</u>	<u>94005</u>	<u>99019</u>	<u>103043</u>
54	<u>22</u>	<u>89995</u>	<u>2672</u>	<u>94831</u>	<u>99086</u>	<u>104303</u>	<u>108560</u>

1	<u>23</u>	<u>94414</u>	<u>2750</u>	<u>99396</u>	<u>103783</u>	<u>109108</u>	<u>113497</u>
2	<u>24</u>	<u>99201</u>	<u>2854</u>	<u>104365</u>	<u>108912</u>	<u>114380</u>	<u>118928</u>
3	<u>25</u>	<u>104447</u>	<u>2974</u>	<u>109837</u>	<u>114579</u>	<u>120212</u>	<u>124953</u>

4 (3) Effective April fifth, two thousand eighteen for officers and  
 5 employees on the administrative payroll and effective March twenty-  
 6 ninth, two thousand eighteen for officers and employees on the institu-  
 7 tional payroll:

8		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
9		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
10	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
11	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
12	<u>SG</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	
	<u>Rate</u>						
13	<u>1</u>	<u>25764</u>	<u>26807</u>	<u>27850</u>	<u>28893</u>	<u>29936</u>	<u>30979</u>
14	<u>2</u>	<u>26671</u>	<u>27769</u>	<u>28867</u>	<u>29965</u>	<u>31063</u>	<u>32161</u>
15	<u>3</u>	<u>27939</u>	<u>29085</u>	<u>30231</u>	<u>31377</u>	<u>32523</u>	<u>33669</u>
16	<u>4</u>	<u>29152</u>	<u>30359</u>	<u>31566</u>	<u>32773</u>	<u>33980</u>	<u>35187</u>
17	<u>5</u>	<u>30490</u>	<u>31757</u>	<u>33024</u>	<u>34291</u>	<u>35558</u>	<u>36825</u>
18	<u>6</u>	<u>32039</u>	<u>33375</u>	<u>34711</u>	<u>36047</u>	<u>37383</u>	<u>38719</u>
19	<u>7</u>	<u>33801</u>	<u>35189</u>	<u>36577</u>	<u>37965</u>	<u>39353</u>	<u>40741</u>
20	<u>8</u>	<u>35654</u>	<u>37096</u>	<u>38538</u>	<u>39980</u>	<u>41422</u>	<u>42864</u>
21	<u>9</u>	<u>37594</u>	<u>39100</u>	<u>40606</u>	<u>42112</u>	<u>43618</u>	<u>45124</u>
22	<u>10</u>	<u>39677</u>	<u>41259</u>	<u>42841</u>	<u>44423</u>	<u>46005</u>	<u>47587</u>
23	<u>11</u>	<u>41967</u>	<u>43614</u>	<u>45261</u>	<u>46908</u>	<u>48555</u>	<u>50202</u>
24	<u>12</u>	<u>44253</u>	<u>45972</u>	<u>47691</u>	<u>49410</u>	<u>51129</u>	<u>52848</u>
25	<u>13</u>	<u>46837</u>	<u>48633</u>	<u>50429</u>	<u>52225</u>	<u>54021</u>	<u>55817</u>
26	<u>14</u>	<u>49477</u>	<u>51360</u>	<u>53243</u>	<u>55126</u>	<u>57009</u>	<u>58892</u>
27	<u>15</u>	<u>52273</u>	<u>54231</u>	<u>56189</u>	<u>58147</u>	<u>60105</u>	<u>62063</u>
28	<u>16</u>	<u>55170</u>	<u>57217</u>	<u>59264</u>	<u>61311</u>	<u>63358</u>	<u>65405</u>
29	<u>17</u>	<u>58220</u>	<u>60376</u>	<u>62532</u>	<u>64688</u>	<u>66844</u>	<u>69000</u>
30	<u>18</u>	<u>61475</u>	<u>63740</u>	<u>66005</u>	<u>68270</u>	<u>70535</u>	<u>72800</u>
31	<u>19</u>	<u>64776</u>	<u>67139</u>	<u>69502</u>	<u>71865</u>	<u>74228</u>	<u>76591</u>
32	<u>20</u>	<u>68053</u>	<u>70524</u>	<u>72995</u>	<u>75466</u>	<u>77937</u>	<u>80408</u>
33	<u>21</u>	<u>71665</u>	<u>74241</u>	<u>76817</u>	<u>79393</u>	<u>81969</u>	<u>84545</u>
34	<u>22</u>	<u>75442</u>	<u>78168</u>	<u>80894</u>	<u>83620</u>	<u>86346</u>	<u>89072</u>
35	<u>23</u>	<u>79472</u>	<u>82277</u>	<u>85082</u>	<u>87887</u>	<u>90692</u>	<u>93497</u>
36	<u>24</u>	<u>83719</u>	<u>86630</u>	<u>89541</u>	<u>92452</u>	<u>95363</u>	<u>98274</u>
37	<u>25</u>	<u>88335</u>	<u>91369</u>	<u>94403</u>	<u>97437</u>	<u>100471</u>	<u>103505</u>

38						<u>Max</u>	
39			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
40	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
41	<u>SG</u>	<u>Rate</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
42	<u>1</u>	<u>32022</u>	<u>1043</u>	<u>33900</u>	<u>35553</u>	<u>38544</u>	<u>40200</u>
43	<u>2</u>	<u>33259</u>	<u>1098</u>	<u>35244</u>	<u>36994</u>	<u>40067</u>	<u>41818</u>
44	<u>3</u>	<u>34815</u>	<u>1146</u>	<u>36884</u>	<u>38712</u>	<u>41848</u>	<u>43676</u>
45	<u>4</u>	<u>36394</u>	<u>1207</u>	<u>38721</u>	<u>40493</u>	<u>43715</u>	<u>45487</u>
46	<u>5</u>	<u>38092</u>	<u>1267</u>	<u>40388</u>	<u>42405</u>	<u>45715</u>	<u>47735</u>
47	<u>6</u>	<u>40055</u>	<u>1336</u>	<u>42473</u>	<u>44604</u>	<u>48006</u>	<u>50137</u>
48	<u>7</u>	<u>42129</u>	<u>1388</u>	<u>44643</u>	<u>46857</u>	<u>50332</u>	<u>52542</u>
49	<u>8</u>	<u>44306</u>	<u>1442</u>	<u>46919</u>	<u>49221</u>	<u>52767</u>	<u>55069</u>
50	<u>9</u>	<u>46630</u>	<u>1506</u>	<u>49358</u>	<u>51763</u>	<u>55404</u>	<u>57805</u>
51	<u>10</u>	<u>49169</u>	<u>1582</u>	<u>52031</u>	<u>54551</u>	<u>58289</u>	<u>60807</u>
52	<u>11</u>	<u>51849</u>	<u>1647</u>	<u>54828</u>	<u>57450</u>	<u>61281</u>	<u>63902</u>

1	<u>12</u>	<u>54567</u>	<u>1719</u>	<u>57687</u>	<u>60429</u>	<u>64361</u>	<u>67108</u>
2	<u>13</u>	<u>57613</u>	<u>1796</u>	<u>60858</u>	<u>63717</u>	<u>67749</u>	<u>70608</u>
3	<u>14</u>	<u>60775</u>	<u>1883</u>	<u>64177</u>	<u>67171</u>	<u>71321</u>	<u>74318</u>
4	<u>15</u>	<u>64021</u>	<u>1958</u>	<u>67563</u>	<u>70683</u>	<u>74945</u>	<u>78063</u>
5	<u>16</u>	<u>67452</u>	<u>2047</u>	<u>71155</u>	<u>74418</u>	<u>78795</u>	<u>82055</u>
6	<u>17</u>	<u>71156</u>	<u>2156</u>	<u>75052</u>	<u>78480</u>	<u>83011</u>	<u>86442</u>
7	<u>18</u>	<u>75065</u>	<u>2265</u>	<u>79155</u>	<u>82762</u>	<u>87446</u>	<u>91055</u>
8	<u>19</u>	<u>78954</u>	<u>2363</u>	<u>83229</u>	<u>86994</u>	<u>91812</u>	<u>95577</u>
9	<u>20</u>	<u>82879</u>	<u>2471</u>	<u>87347</u>	<u>91283</u>	<u>96257</u>	<u>100197</u>
10	<u>21</u>	<u>87121</u>	<u>2576</u>	<u>91779</u>	<u>95885</u>	<u>100999</u>	<u>105104</u>
11	<u>22</u>	<u>91798</u>	<u>2726</u>	<u>96728</u>	<u>101068</u>	<u>106389</u>	<u>110731</u>
12	<u>23</u>	<u>96302</u>	<u>2805</u>	<u>101384</u>	<u>105859</u>	<u>111290</u>	<u>115767</u>
13	<u>24</u>	<u>101185</u>	<u>2911</u>	<u>106452</u>	<u>111090</u>	<u>116668</u>	<u>121307</u>
14	<u>25</u>	<u>106539</u>	<u>3034</u>	<u>112034</u>	<u>116871</u>	<u>122616</u>	<u>127452</u>

15 (4) Effective April fourth, two thousand nineteen for officers and  
 16 employees on the administrative payroll and effective March twenty-  
 17 eighth, two thousand nineteen for officers and employees on the institu-  
 18 tional payroll:

19		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
20		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
21	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
22	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
23	<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	
			<u>5</u>				
24	<u>1</u>	<u>26279</u>	<u>27343</u>	<u>28407</u>	<u>29471</u>	<u>30535</u>	<u>31599</u>
25	<u>2</u>	<u>27204</u>	<u>28324</u>	<u>29444</u>	<u>30564</u>	<u>31684</u>	<u>32804</u>
26	<u>3</u>	<u>28498</u>	<u>29667</u>	<u>30836</u>	<u>32005</u>	<u>33174</u>	<u>34343</u>
27	<u>4</u>	<u>29735</u>	<u>30966</u>	<u>32197</u>	<u>33428</u>	<u>34659</u>	<u>35890</u>
28	<u>5</u>	<u>31100</u>	<u>32392</u>	<u>33684</u>	<u>34976</u>	<u>36268</u>	<u>37560</u>
29	<u>6</u>	<u>32680</u>	<u>34043</u>	<u>35406</u>	<u>36769</u>	<u>38132</u>	<u>39495</u>
30	<u>7</u>	<u>34477</u>	<u>35893</u>	<u>37309</u>	<u>38725</u>	<u>40141</u>	<u>41557</u>
31	<u>8</u>	<u>36367</u>	<u>37838</u>	<u>39309</u>	<u>40780</u>	<u>42251</u>	<u>43722</u>
32	<u>9</u>	<u>38346</u>	<u>39882</u>	<u>41418</u>	<u>42954</u>	<u>44490</u>	<u>46026</u>
33	<u>10</u>	<u>40471</u>	<u>42085</u>	<u>43699</u>	<u>45313</u>	<u>46927</u>	<u>48541</u>
34	<u>11</u>	<u>42806</u>	<u>44486</u>	<u>46166</u>	<u>47846</u>	<u>49526</u>	<u>51206</u>
35	<u>12</u>	<u>45138</u>	<u>46891</u>	<u>48644</u>	<u>50397</u>	<u>52150</u>	<u>53903</u>
36	<u>13</u>	<u>47774</u>	<u>49606</u>	<u>51438</u>	<u>53270</u>	<u>55102</u>	<u>56934</u>
37	<u>14</u>	<u>50467</u>	<u>52388</u>	<u>54309</u>	<u>56230</u>	<u>58151</u>	<u>60072</u>
38	<u>15</u>	<u>53318</u>	<u>55315</u>	<u>57312</u>	<u>59309</u>	<u>61306</u>	<u>63303</u>
39	<u>16</u>	<u>56273</u>	<u>58361</u>	<u>60449</u>	<u>62537</u>	<u>64625</u>	<u>66713</u>
40	<u>17</u>	<u>59384</u>	<u>61583</u>	<u>63782</u>	<u>65981</u>	<u>68180</u>	<u>70379</u>
41	<u>18</u>	<u>62705</u>	<u>65015</u>	<u>67325</u>	<u>69635</u>	<u>71945</u>	<u>74255</u>
42	<u>19</u>	<u>66072</u>	<u>68482</u>	<u>70892</u>	<u>73302</u>	<u>75712</u>	<u>78122</u>
43	<u>20</u>	<u>69414</u>	<u>71935</u>	<u>74456</u>	<u>76977</u>	<u>79498</u>	<u>82019</u>
44	<u>21</u>	<u>73098</u>	<u>75726</u>	<u>78354</u>	<u>80982</u>	<u>83610</u>	<u>86238</u>
45	<u>22</u>	<u>76951</u>	<u>79732</u>	<u>82513</u>	<u>85294</u>	<u>88075</u>	<u>90856</u>
46	<u>23</u>	<u>81061</u>	<u>83922</u>	<u>86783</u>	<u>89644</u>	<u>92505</u>	<u>95366</u>
47	<u>24</u>	<u>85393</u>	<u>88362</u>	<u>91331</u>	<u>94300</u>	<u>97269</u>	<u>100238</u>
48	<u>25</u>	<u>90102</u>	<u>93197</u>	<u>96292</u>	<u>99387</u>	<u>102482</u>	<u>105577</u>
49						<u>Max</u>	
50			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
51	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
52	<u>SG</u>	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>



1	<u>1</u>	<u>32663</u>	<u>1064</u>	<u>34578</u>	<u>36264</u>	<u>39315</u>	<u>41004</u>
2	<u>2</u>	<u>33924</u>	<u>1120</u>	<u>35949</u>	<u>37734</u>	<u>40868</u>	<u>42654</u>
3	<u>3</u>	<u>35512</u>	<u>1169</u>	<u>37622</u>	<u>39486</u>	<u>42685</u>	<u>44550</u>
4	<u>4</u>	<u>37121</u>	<u>1231</u>	<u>39495</u>	<u>41303</u>	<u>44589</u>	<u>46397</u>
5	<u>5</u>	<u>38852</u>	<u>1292</u>	<u>41196</u>	<u>43253</u>	<u>46629</u>	<u>48690</u>
6	<u>6</u>	<u>40858</u>	<u>1363</u>	<u>43322</u>	<u>45496</u>	<u>48966</u>	<u>51140</u>
7	<u>7</u>	<u>42973</u>	<u>1416</u>	<u>45536</u>	<u>47794</u>	<u>51339</u>	<u>53593</u>
8	<u>8</u>	<u>45193</u>	<u>1471</u>	<u>47857</u>	<u>50205</u>	<u>53822</u>	<u>56170</u>
9	<u>9</u>	<u>47562</u>	<u>1536</u>	<u>50345</u>	<u>52798</u>	<u>56512</u>	<u>58961</u>
10	<u>10</u>	<u>50155</u>	<u>1614</u>	<u>53072</u>	<u>55642</u>	<u>59455</u>	<u>62023</u>
11	<u>11</u>	<u>52886</u>	<u>1680</u>	<u>55925</u>	<u>58599</u>	<u>62507</u>	<u>65180</u>
12	<u>12</u>	<u>55656</u>	<u>1753</u>	<u>58841</u>	<u>61638</u>	<u>65648</u>	<u>68450</u>
13	<u>13</u>	<u>58766</u>	<u>1832</u>	<u>62075</u>	<u>64991</u>	<u>69104</u>	<u>72020</u>
14	<u>14</u>	<u>61993</u>	<u>1921</u>	<u>65461</u>	<u>68514</u>	<u>72747</u>	<u>75804</u>
15	<u>15</u>	<u>65300</u>	<u>1997</u>	<u>68914</u>	<u>72097</u>	<u>76444</u>	<u>79624</u>
16	<u>16</u>	<u>68801</u>	<u>2088</u>	<u>72578</u>	<u>75906</u>	<u>80371</u>	<u>83696</u>
17	<u>17</u>	<u>72578</u>	<u>2199</u>	<u>76553</u>	<u>80050</u>	<u>84671</u>	<u>88171</u>
18	<u>18</u>	<u>76565</u>	<u>2310</u>	<u>80738</u>	<u>84417</u>	<u>89195</u>	<u>92876</u>
19	<u>19</u>	<u>80532</u>	<u>2410</u>	<u>84894</u>	<u>88734</u>	<u>93648</u>	<u>97489</u>
20	<u>20</u>	<u>84540</u>	<u>2521</u>	<u>89094</u>	<u>93109</u>	<u>98182</u>	<u>102201</u>
21	<u>21</u>	<u>88866</u>	<u>2628</u>	<u>93615</u>	<u>97803</u>	<u>103019</u>	<u>107206</u>
22	<u>22</u>	<u>93637</u>	<u>2781</u>	<u>98663</u>	<u>103089</u>	<u>108517</u>	<u>112946</u>
23	<u>23</u>	<u>98227</u>	<u>2861</u>	<u>103412</u>	<u>107976</u>	<u>113516</u>	<u>118082</u>
24	<u>24</u>	<u>103207</u>	<u>2969</u>	<u>108581</u>	<u>113312</u>	<u>119001</u>	<u>123733</u>
25	<u>25</u>	<u>108672</u>	<u>3095</u>	<u>114275</u>	<u>119208</u>	<u>125068</u>	<u>130001</u>

26 (5) Effective April second, two thousand twenty for officers and  
 27 employees on the administrative payroll and effective March twenty-  
 28 sixth, two thousand twenty for officers and employees on the institu-  
 29 tional payroll:

30		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	
31		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	
32		<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	
33		<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
34	<u>SG</u>	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	
			<u>5</u>				
35	<u>1</u>	<u>26805</u>	<u>27890</u>	<u>28975</u>	<u>30060</u>	<u>31145</u>	<u>32230</u>
36	<u>2</u>	<u>27748</u>	<u>28890</u>	<u>30032</u>	<u>31174</u>	<u>32316</u>	<u>33458</u>
37	<u>3</u>	<u>29068</u>	<u>30260</u>	<u>31452</u>	<u>32644</u>	<u>33836</u>	<u>35028</u>
38	<u>4</u>	<u>30330</u>	<u>31586</u>	<u>32842</u>	<u>34098</u>	<u>35354</u>	<u>36610</u>
39	<u>5</u>	<u>31722</u>	<u>33040</u>	<u>34358</u>	<u>35676</u>	<u>36994</u>	<u>38312</u>
40	<u>6</u>	<u>33334</u>	<u>34724</u>	<u>36114</u>	<u>37504</u>	<u>38894</u>	<u>40284</u>
41	<u>7</u>	<u>35167</u>	<u>36611</u>	<u>38055</u>	<u>39499</u>	<u>40943</u>	<u>42387</u>
42	<u>8</u>	<u>37094</u>	<u>38595</u>	<u>40096</u>	<u>41597</u>	<u>43098</u>	<u>44599</u>
43	<u>9</u>	<u>39113</u>	<u>40680</u>	<u>42247</u>	<u>43814</u>	<u>45381</u>	<u>46948</u>
44	<u>10</u>	<u>41280</u>	<u>42926</u>	<u>44572</u>	<u>46218</u>	<u>47864</u>	<u>49510</u>
45	<u>11</u>	<u>43662</u>	<u>45376</u>	<u>47090</u>	<u>48804</u>	<u>50518</u>	<u>52232</u>
46	<u>12</u>	<u>46041</u>	<u>47829</u>	<u>49617</u>	<u>51405</u>	<u>53193</u>	<u>54981</u>
47	<u>13</u>	<u>48729</u>	<u>50598</u>	<u>52467</u>	<u>54336</u>	<u>56205</u>	<u>58074</u>
48	<u>14</u>	<u>51476</u>	<u>53436</u>	<u>55396</u>	<u>57356</u>	<u>59316</u>	<u>61276</u>
49	<u>15</u>	<u>54384</u>	<u>56421</u>	<u>58458</u>	<u>60495</u>	<u>62532</u>	<u>64569</u>
50	<u>16</u>	<u>57398</u>	<u>59528</u>	<u>61658</u>	<u>63788</u>	<u>65918</u>	<u>68048</u>
51	<u>17</u>	<u>60572</u>	<u>62815</u>	<u>65058</u>	<u>67301</u>	<u>69544</u>	<u>71787</u>
52	<u>18</u>	<u>63959</u>	<u>66315</u>	<u>68671</u>	<u>71027</u>	<u>73383</u>	<u>75739</u>
53	<u>19</u>	<u>67393</u>	<u>69851</u>	<u>72309</u>	<u>74767</u>	<u>77225</u>	<u>79683</u>

1	<u>20</u>	<u>70802</u>	<u>73374</u>	<u>75946</u>	<u>78518</u>	<u>81090</u>	<u>83662</u>
2	<u>21</u>	<u>74560</u>	<u>77241</u>	<u>79922</u>	<u>82603</u>	<u>85284</u>	<u>87965</u>
3	<u>22</u>	<u>78490</u>	<u>81327</u>	<u>84164</u>	<u>87001</u>	<u>89838</u>	<u>92675</u>
4	<u>23</u>	<u>82682</u>	<u>85600</u>	<u>88518</u>	<u>91436</u>	<u>94354</u>	<u>97272</u>
5	<u>24</u>	<u>87101</u>	<u>90129</u>	<u>93157</u>	<u>96185</u>	<u>99213</u>	<u>102241</u>
6	<u>25</u>	<u>91904</u>	<u>95061</u>	<u>98218</u>	<u>101375</u>	<u>104532</u>	<u>107689</u>

							<u>Max</u>
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
7							
8							
9							
10	<u>SG</u>						
11	<u>1</u>	<u>33315</u>	<u>1085</u>	<u>35270</u>	<u>36989</u>	<u>40101</u>	<u>41824</u>
12	<u>2</u>	<u>34600</u>	<u>1142</u>	<u>36668</u>	<u>38489</u>	<u>41685</u>	<u>43507</u>
13	<u>3</u>	<u>36220</u>	<u>1192</u>	<u>38374</u>	<u>40276</u>	<u>43539</u>	<u>45441</u>
14	<u>4</u>	<u>37866</u>	<u>1256</u>	<u>40285</u>	<u>42129</u>	<u>45481</u>	<u>47325</u>
15	<u>5</u>	<u>39630</u>	<u>1318</u>	<u>42020</u>	<u>44118</u>	<u>47562</u>	<u>49664</u>
16	<u>6</u>	<u>41674</u>	<u>1390</u>	<u>44188</u>	<u>46406</u>	<u>49945</u>	<u>52163</u>
17	<u>7</u>	<u>43831</u>	<u>1444</u>	<u>46447</u>	<u>48750</u>	<u>52366</u>	<u>54665</u>
18	<u>8</u>	<u>46100</u>	<u>1501</u>	<u>48814</u>	<u>51209</u>	<u>54898</u>	<u>57293</u>
19	<u>9</u>	<u>48515</u>	<u>1567</u>	<u>51352</u>	<u>53854</u>	<u>57642</u>	<u>60140</u>
20	<u>10</u>	<u>51156</u>	<u>1646</u>	<u>54133</u>	<u>56755</u>	<u>60644</u>	<u>63263</u>
21	<u>11</u>	<u>53946</u>	<u>1714</u>	<u>57044</u>	<u>59771</u>	<u>63757</u>	<u>66484</u>
22	<u>12</u>	<u>56769</u>	<u>1788</u>	<u>60018</u>	<u>62871</u>	<u>66961</u>	<u>69819</u>
23	<u>13</u>	<u>59943</u>	<u>1869</u>	<u>63317</u>	<u>66291</u>	<u>70486</u>	<u>73460</u>
24	<u>14</u>	<u>63236</u>	<u>1960</u>	<u>66770</u>	<u>69884</u>	<u>74202</u>	<u>77320</u>
25	<u>15</u>	<u>66606</u>	<u>2037</u>	<u>70292</u>	<u>73539</u>	<u>77973</u>	<u>81216</u>
26	<u>16</u>	<u>70178</u>	<u>2130</u>	<u>74030</u>	<u>77424</u>	<u>81978</u>	<u>85370</u>
27	<u>17</u>	<u>74030</u>	<u>2243</u>	<u>78084</u>	<u>81651</u>	<u>86364</u>	<u>89934</u>
28	<u>18</u>	<u>78095</u>	<u>2356</u>	<u>82353</u>	<u>86105</u>	<u>90979</u>	<u>94734</u>
29	<u>19</u>	<u>82141</u>	<u>2458</u>	<u>86592</u>	<u>90509</u>	<u>95521</u>	<u>99439</u>
30	<u>20</u>	<u>86234</u>	<u>2572</u>	<u>90876</u>	<u>94971</u>	<u>100146</u>	<u>104245</u>
31	<u>21</u>	<u>90646</u>	<u>2681</u>	<u>95487</u>	<u>99759</u>	<u>105079</u>	<u>109350</u>
32	<u>22</u>	<u>95512</u>	<u>2837</u>	<u>100636</u>	<u>105151</u>	<u>110687</u>	<u>115205</u>
33	<u>23</u>	<u>100190</u>	<u>2918</u>	<u>105480</u>	<u>110136</u>	<u>115786</u>	<u>120444</u>
34	<u>24</u>	<u>105269</u>	<u>3028</u>	<u>110753</u>	<u>115578</u>	<u>121381</u>	<u>126208</u>
35	<u>25</u>	<u>110846</u>	<u>3157</u>	<u>116561</u>	<u>121592</u>	<u>127569</u>	<u>132601</u>

36 (6) Effective April first, two thousand twenty-one for officers and  
 37 employees on the administrative payroll and effective March twenty-  
 38 fifth, two thousand twenty-one for officers and employees on the insti-  
 39 tutional payroll:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
40						
41						
42						
43	<u>SG</u>					
44	<u>1</u>	<u>29767</u>	<u>30902</u>	<u>32037</u>	<u>33172</u>	<u>34307</u>
45	<u>2</u>	<u>30754</u>	<u>31952</u>	<u>33150</u>	<u>34348</u>	<u>35546</u>
46	<u>3</u>	<u>32136</u>	<u>33385</u>	<u>34634</u>	<u>35883</u>	<u>37132</u>
47	<u>4</u>	<u>33459</u>	<u>34774</u>	<u>36089</u>	<u>37404</u>	<u>38719</u>
48	<u>5</u>	<u>34917</u>	<u>36302</u>	<u>37687</u>	<u>39072</u>	<u>40457</u>
49	<u>6</u>	<u>36607</u>	<u>38062</u>	<u>39517</u>	<u>40972</u>	<u>42427</u>
50	<u>7</u>	<u>38528</u>	<u>40045</u>	<u>41562</u>	<u>43079</u>	<u>44596</u>
51	<u>8</u>	<u>40548</u>	<u>42122</u>	<u>43696</u>	<u>45270</u>	<u>46844</u>
52						

1	<u>9</u>	<u>42665</u>	<u>44306</u>	<u>45947</u>	<u>47588</u>	<u>49229</u>	<u>50870</u>
2	<u>10</u>	<u>44934</u>	<u>46661</u>	<u>48388</u>	<u>50115</u>	<u>51842</u>	<u>53569</u>
3	<u>11</u>	<u>47434</u>	<u>49230</u>	<u>51026</u>	<u>52822</u>	<u>54618</u>	<u>56414</u>
4	<u>12</u>	<u>49924</u>	<u>51798</u>	<u>53672</u>	<u>55546</u>	<u>57420</u>	<u>59294</u>
5	<u>13</u>	<u>52744</u>	<u>54704</u>	<u>56664</u>	<u>58624</u>	<u>60584</u>	<u>62544</u>
6	<u>14</u>	<u>55622</u>	<u>57674</u>	<u>59726</u>	<u>61778</u>	<u>63830</u>	<u>65882</u>
7	<u>15</u>	<u>58670</u>	<u>60806</u>	<u>62942</u>	<u>65078</u>	<u>67214</u>	<u>69350</u>
8	<u>16</u>	<u>61829</u>	<u>64059</u>	<u>66289</u>	<u>68519</u>	<u>70749</u>	<u>72979</u>
9	<u>17</u>	<u>65151</u>	<u>67500</u>	<u>69849</u>	<u>72198</u>	<u>74547</u>	<u>76896</u>
10	<u>18</u>	<u>68703</u>	<u>71170</u>	<u>73637</u>	<u>76104</u>	<u>78571</u>	<u>81038</u>
11	<u>19</u>	<u>72304</u>	<u>74883</u>	<u>77462</u>	<u>80041</u>	<u>82620</u>	<u>85199</u>
12	<u>20</u>	<u>75879</u>	<u>78572</u>	<u>81265</u>	<u>83958</u>	<u>86651</u>	<u>89344</u>
13	<u>21</u>	<u>79812</u>	<u>82619</u>	<u>85426</u>	<u>88233</u>	<u>91040</u>	<u>93847</u>
14	<u>22</u>	<u>83933</u>	<u>86907</u>	<u>89881</u>	<u>92855</u>	<u>95829</u>	<u>98803</u>
15	<u>23</u>	<u>88327</u>	<u>91386</u>	<u>94445</u>	<u>97504</u>	<u>100563</u>	<u>103622</u>
16	<u>24</u>	<u>92959</u>	<u>96132</u>	<u>99305</u>	<u>102478</u>	<u>105651</u>	<u>108824</u>
17	<u>25</u>	<u>97992</u>	<u>101302</u>	<u>104612</u>	<u>107922</u>	<u>111232</u>	<u>114542</u>

							<u>Max</u>
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>	
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	
22	<u>1</u>	<u>36577</u>	<u>1135</u>	<u>38274</u>	<u>39971</u>	<u>43259</u>	<u>44955</u>
23	<u>2</u>	<u>37942</u>	<u>1198</u>	<u>39733</u>	<u>41527</u>	<u>44913</u>	<u>46711</u>
24	<u>3</u>	<u>39630</u>	<u>1249</u>	<u>41496</u>	<u>43367</u>	<u>46830</u>	<u>48704</u>
25	<u>4</u>	<u>41349</u>	<u>1315</u>	<u>43321</u>	<u>45290</u>	<u>48852</u>	<u>50820</u>
26	<u>5</u>	<u>43227</u>	<u>1385</u>	<u>45293</u>	<u>47365</u>	<u>51028</u>	<u>53100</u>
27	<u>6</u>	<u>45337</u>	<u>1455</u>	<u>47521</u>	<u>49700</u>	<u>53478</u>	<u>55660</u>
28	<u>7</u>	<u>47630</u>	<u>1517</u>	<u>49892</u>	<u>52160</u>	<u>56021</u>	<u>58291</u>
29	<u>8</u>	<u>49992</u>	<u>1574</u>	<u>52345</u>	<u>54707</u>	<u>58650</u>	<u>61011</u>
30	<u>9</u>	<u>52511</u>	<u>1641</u>	<u>54976</u>	<u>57438</u>	<u>61495</u>	<u>63960</u>
31	<u>10</u>	<u>55296</u>	<u>1727</u>	<u>57876</u>	<u>60456</u>	<u>64628</u>	<u>67214</u>
32	<u>11</u>	<u>58210</u>	<u>1796</u>	<u>60894</u>	<u>63584</u>	<u>67864</u>	<u>70553</u>
33	<u>12</u>	<u>61168</u>	<u>1874</u>	<u>63981</u>	<u>66798</u>	<u>71200</u>	<u>74013</u>
34	<u>13</u>	<u>64504</u>	<u>1960</u>	<u>67424</u>	<u>70353</u>	<u>74877</u>	<u>77808</u>
35	<u>14</u>	<u>67934</u>	<u>2052</u>	<u>71001</u>	<u>74075</u>	<u>78734</u>	<u>81807</u>
36	<u>15</u>	<u>71486</u>	<u>2136</u>	<u>74679</u>	<u>77880</u>	<u>82665</u>	<u>85863</u>
37	<u>16</u>	<u>75209</u>	<u>2230</u>	<u>78551</u>	<u>81895</u>	<u>86825</u>	<u>90166</u>
38	<u>17</u>	<u>79245</u>	<u>2349</u>	<u>82764</u>	<u>86279</u>	<u>91388</u>	<u>94905</u>
39	<u>18</u>	<u>83505</u>	<u>2467</u>	<u>87197</u>	<u>90899</u>	<u>96185</u>	<u>99885</u>
40	<u>19</u>	<u>87778</u>	<u>2579</u>	<u>91624</u>	<u>95483</u>	<u>100933</u>	<u>104793</u>
41	<u>20</u>	<u>92037</u>	<u>2693</u>	<u>96068</u>	<u>100107</u>	<u>105736</u>	<u>109776</u>
42	<u>21</u>	<u>96654</u>	<u>2807</u>	<u>100863</u>	<u>105070</u>	<u>110872</u>	<u>115082</u>
43	<u>22</u>	<u>101777</u>	<u>2974</u>	<u>106231</u>	<u>110684</u>	<u>116725</u>	<u>121178</u>
44	<u>23</u>	<u>106681</u>	<u>3059</u>	<u>111267</u>	<u>115856</u>	<u>122031</u>	<u>126619</u>
45	<u>24</u>	<u>111997</u>	<u>3173</u>	<u>116746</u>	<u>121502</u>	<u>127851</u>	<u>132604</u>
46	<u>25</u>	<u>117852</u>	<u>3310</u>	<u>122811</u>	<u>127764</u>	<u>134317</u>	<u>139274</u>

47 (7) Effective September thirtieth, two thousand twenty-one for offi-  
 48 cers and employees on the administrative payroll and effective October  
 49 seventh, two thousand twenty-one for officers and employees on the  
 50 institutional payroll:

	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
51					
52					
53					

	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
2	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
3	<u>1</u>	<u>29767</u>	<u>30902</u>	<u>32037</u>	<u>33172</u>	<u>34307</u>
4	<u>2</u>	<u>30754</u>	<u>31952</u>	<u>33150</u>	<u>34348</u>	<u>35546</u>
5	<u>3</u>	<u>32136</u>	<u>33385</u>	<u>34634</u>	<u>35883</u>	<u>37132</u>
6	<u>4</u>	<u>33459</u>	<u>34774</u>	<u>36089</u>	<u>37404</u>	<u>38719</u>
7	<u>5</u>	<u>34917</u>	<u>36302</u>	<u>37687</u>	<u>39072</u>	<u>40457</u>
8	<u>6</u>	<u>36607</u>	<u>38062</u>	<u>39517</u>	<u>40972</u>	<u>42427</u>
9	<u>7</u>	<u>38528</u>	<u>40045</u>	<u>41562</u>	<u>43079</u>	<u>44596</u>
10	<u>8</u>	<u>40548</u>	<u>42122</u>	<u>43696</u>	<u>45270</u>	<u>46844</u>
11	<u>9</u>	<u>42665</u>	<u>44306</u>	<u>45947</u>	<u>47588</u>	<u>49229</u>
12	<u>10</u>	<u>44934</u>	<u>46661</u>	<u>48388</u>	<u>50115</u>	<u>51842</u>
13	<u>11</u>	<u>47434</u>	<u>49230</u>	<u>51026</u>	<u>52822</u>	<u>54618</u>
14	<u>12</u>	<u>49924</u>	<u>51798</u>	<u>53672</u>	<u>55546</u>	<u>57420</u>
15	<u>13</u>	<u>52744</u>	<u>54704</u>	<u>56664</u>	<u>58624</u>	<u>60584</u>
16	<u>14</u>	<u>55622</u>	<u>57674</u>	<u>59726</u>	<u>61778</u>	<u>63830</u>
17	<u>15</u>	<u>58670</u>	<u>60806</u>	<u>62942</u>	<u>65078</u>	<u>67214</u>
18	<u>16</u>	<u>61829</u>	<u>64059</u>	<u>66289</u>	<u>68519</u>	<u>70749</u>
19	<u>17</u>	<u>65151</u>	<u>67500</u>	<u>69849</u>	<u>72198</u>	<u>74547</u>
20	<u>18</u>	<u>68703</u>	<u>71170</u>	<u>73637</u>	<u>76104</u>	<u>78571</u>
21	<u>19</u>	<u>72304</u>	<u>74883</u>	<u>77462</u>	<u>80041</u>	<u>82620</u>
22	<u>20</u>	<u>75879</u>	<u>78572</u>	<u>81265</u>	<u>83958</u>	<u>86651</u>
23	<u>21</u>	<u>79812</u>	<u>82619</u>	<u>85426</u>	<u>88233</u>	<u>91040</u>
24	<u>22</u>	<u>83933</u>	<u>86907</u>	<u>89881</u>	<u>92855</u>	<u>95829</u>
25	<u>23</u>	<u>88327</u>	<u>91386</u>	<u>94445</u>	<u>97504</u>	<u>100563</u>
26	<u>24</u>	<u>92959</u>	<u>96132</u>	<u>99305</u>	<u>102478</u>	<u>105651</u>
27	<u>25</u>	<u>97992</u>	<u>101302</u>	<u>104612</u>	<u>107922</u>	<u>111232</u>

					<u>Max</u>	
			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>25 Yr.</u>
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
30	<u>1</u>	<u>36577</u>	<u>1135</u>	<u>38274</u>	<u>39971</u>	<u>43259</u>
31	<u>2</u>	<u>37942</u>	<u>1198</u>	<u>39733</u>	<u>41527</u>	<u>44913</u>
32	<u>3</u>	<u>39630</u>	<u>1249</u>	<u>41496</u>	<u>43367</u>	<u>46830</u>
33	<u>4</u>	<u>41349</u>	<u>1315</u>	<u>43321</u>	<u>45290</u>	<u>48852</u>
34	<u>5</u>	<u>43227</u>	<u>1385</u>	<u>45293</u>	<u>47365</u>	<u>51028</u>
35	<u>6</u>	<u>45337</u>	<u>1455</u>	<u>47521</u>	<u>49700</u>	<u>53478</u>
36	<u>7</u>	<u>47630</u>	<u>1517</u>	<u>49892</u>	<u>52160</u>	<u>56021</u>
37	<u>8</u>	<u>49992</u>	<u>1574</u>	<u>52345</u>	<u>54707</u>	<u>58650</u>
38	<u>9</u>	<u>52511</u>	<u>1641</u>	<u>54976</u>	<u>57438</u>	<u>61495</u>
39	<u>10</u>	<u>55296</u>	<u>1727</u>	<u>57876</u>	<u>60456</u>	<u>64628</u>
40	<u>11</u>	<u>58210</u>	<u>1796</u>	<u>60894</u>	<u>63584</u>	<u>67864</u>
41	<u>12</u>	<u>61168</u>	<u>1874</u>	<u>63981</u>	<u>66798</u>	<u>71200</u>
42	<u>13</u>	<u>64504</u>	<u>1960</u>	<u>67424</u>	<u>70353</u>	<u>74877</u>
43	<u>14</u>	<u>67934</u>	<u>2052</u>	<u>71001</u>	<u>74075</u>	<u>78734</u>
44	<u>15</u>	<u>71486</u>	<u>2136</u>	<u>74679</u>	<u>77880</u>	<u>82665</u>
45	<u>16</u>	<u>75209</u>	<u>2230</u>	<u>78551</u>	<u>81895</u>	<u>86825</u>
46	<u>17</u>	<u>79245</u>	<u>2349</u>	<u>82764</u>	<u>86279</u>	<u>91388</u>
47	<u>18</u>	<u>83505</u>	<u>2467</u>	<u>87197</u>	<u>90899</u>	<u>96185</u>
48	<u>19</u>	<u>87778</u>	<u>2579</u>	<u>91624</u>	<u>95483</u>	<u>100933</u>
49	<u>20</u>	<u>92037</u>	<u>2693</u>	<u>96068</u>	<u>100107</u>	<u>105736</u>
50	<u>21</u>	<u>96654</u>	<u>2807</u>	<u>100863</u>	<u>105070</u>	<u>110872</u>
51	<u>22</u>	<u>101777</u>	<u>2974</u>	<u>106231</u>	<u>110684</u>	<u>116725</u>
52	<u>23</u>	<u>106681</u>	<u>3059</u>	<u>111267</u>	<u>115856</u>	<u>122031</u>

1	<u>24</u>	<u>111997</u>	<u>3173</u>	<u>116746</u>	<u>121502</u>	<u>127851</u>	<u>133104</u>
2	<u>25</u>	<u>117852</u>	<u>3310</u>	<u>122811</u>	<u>127764</u>	<u>134317</u>	<u>139774</u>

3 (8) Effective March thirty-first, two thousand twenty-two for offi-  
 4 cers and employees on the administrative payroll and effective April  
 5 seventh, two thousand twenty-two for officers and employees on the  
 6 institutional payroll:

		<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>	<u>Perf.</u>
		<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>	<u>Ad-</u>
	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>
	<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
7						
8						
9						
10						
11	<u>SG</u>					
12	<u>1</u>	<u>30362</u>	<u>31520</u>	<u>32678</u>	<u>33836</u>	<u>34994</u>
13	<u>2</u>	<u>31369</u>	<u>32591</u>	<u>33813</u>	<u>35035</u>	<u>36257</u>
14	<u>3</u>	<u>32779</u>	<u>34053</u>	<u>35327</u>	<u>36601</u>	<u>37875</u>
15	<u>4</u>	<u>34128</u>	<u>35469</u>	<u>36810</u>	<u>38151</u>	<u>39492</u>
16	<u>5</u>	<u>35615</u>	<u>37028</u>	<u>38441</u>	<u>39854</u>	<u>41267</u>
17	<u>6</u>	<u>37339</u>	<u>38823</u>	<u>40307</u>	<u>41791</u>	<u>43275</u>
18	<u>7</u>	<u>39299</u>	<u>40846</u>	<u>42393</u>	<u>43940</u>	<u>45487</u>
19	<u>8</u>	<u>41359</u>	<u>42965</u>	<u>44571</u>	<u>46177</u>	<u>47783</u>
20	<u>9</u>	<u>43518</u>	<u>45192</u>	<u>46866</u>	<u>48540</u>	<u>50214</u>
21	<u>10</u>	<u>45833</u>	<u>47595</u>	<u>49357</u>	<u>51119</u>	<u>52881</u>
22	<u>11</u>	<u>48383</u>	<u>50215</u>	<u>52047</u>	<u>53879</u>	<u>55711</u>
23	<u>12</u>	<u>50922</u>	<u>52834</u>	<u>54746</u>	<u>56658</u>	<u>58570</u>
24	<u>13</u>	<u>53799</u>	<u>55798</u>	<u>57797</u>	<u>59796</u>	<u>61795</u>
25	<u>14</u>	<u>56734</u>	<u>58827</u>	<u>60920</u>	<u>63013</u>	<u>65106</u>
26	<u>15</u>	<u>59843</u>	<u>62022</u>	<u>64201</u>	<u>66380</u>	<u>68559</u>
27	<u>16</u>	<u>63066</u>	<u>65341</u>	<u>67616</u>	<u>69891</u>	<u>72166</u>
28	<u>17</u>	<u>66454</u>	<u>68850</u>	<u>71246</u>	<u>73642</u>	<u>76038</u>
29	<u>18</u>	<u>70077</u>	<u>72593</u>	<u>75109</u>	<u>77625</u>	<u>80141</u>
30	<u>19</u>	<u>73750</u>	<u>76381</u>	<u>79012</u>	<u>81643</u>	<u>84274</u>
31	<u>20</u>	<u>77397</u>	<u>80144</u>	<u>82891</u>	<u>85638</u>	<u>88385</u>
32	<u>21</u>	<u>81408</u>	<u>84271</u>	<u>87134</u>	<u>89997</u>	<u>92860</u>
33	<u>22</u>	<u>85612</u>	<u>88646</u>	<u>91680</u>	<u>94714</u>	<u>97748</u>
34	<u>23</u>	<u>90094</u>	<u>93214</u>	<u>96334</u>	<u>99454</u>	<u>102574</u>
35	<u>24</u>	<u>94818</u>	<u>98055</u>	<u>101292</u>	<u>104529</u>	<u>107766</u>
36	<u>25</u>	<u>99952</u>	<u>103328</u>	<u>106704</u>	<u>110080</u>	<u>113456</u>

			<u>10 Yr.</u>	<u>15 Yr.</u>	<u>20 Yr.</u>	<u>Max</u>
	<u>Job</u>	<u>Perf.</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>	<u>Long</u>
	<u>Rate</u>	<u>Adv.</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
37						
38						
39	<u>SG</u>					
40	<u>1</u>	<u>37310</u>	<u>1158</u>	<u>39039</u>	<u>40770</u>	<u>44124</u>
41	<u>2</u>	<u>38701</u>	<u>1222</u>	<u>40528</u>	<u>42358</u>	<u>45811</u>
42	<u>3</u>	<u>40423</u>	<u>1274</u>	<u>42326</u>	<u>44234</u>	<u>47767</u>
43	<u>4</u>	<u>42174</u>	<u>1341</u>	<u>44187</u>	<u>46196</u>	<u>49829</u>
44	<u>5</u>	<u>44093</u>	<u>1413</u>	<u>46199</u>	<u>48312</u>	<u>52049</u>
45	<u>6</u>	<u>46243</u>	<u>1484</u>	<u>48471</u>	<u>50694</u>	<u>54548</u>
46	<u>7</u>	<u>48581</u>	<u>1547</u>	<u>50890</u>	<u>53203</u>	<u>57141</u>
47	<u>8</u>	<u>50995</u>	<u>1606</u>	<u>53392</u>	<u>55801</u>	<u>59823</u>
48	<u>9</u>	<u>53562</u>	<u>1674</u>	<u>56076</u>	<u>58587</u>	<u>62725</u>
49	<u>10</u>	<u>56405</u>	<u>1762</u>	<u>59034</u>	<u>61665</u>	<u>65921</u>
50	<u>11</u>	<u>59375</u>	<u>1832</u>	<u>62112</u>	<u>64856</u>	<u>69221</u>
51	<u>12</u>	<u>62394</u>	<u>1912</u>	<u>65261</u>	<u>68134</u>	<u>72624</u>
52	<u>13</u>	<u>65793</u>	<u>1999</u>	<u>68772</u>	<u>71760</u>	<u>76375</u>
53						

1	<u>14</u>	<u>69292</u>	<u>2093</u>	<u>72421</u>	<u>75557</u>	<u>80309</u>	<u>83953</u>
2	<u>15</u>	<u>72917</u>	<u>2179</u>	<u>76173</u>	<u>79438</u>	<u>84318</u>	<u>88090</u>
3	<u>16</u>	<u>76716</u>	<u>2275</u>	<u>80122</u>	<u>83533</u>	<u>88562</u>	<u>92479</u>
4	<u>17</u>	<u>80830</u>	<u>2396</u>	<u>84419</u>	<u>88005</u>	<u>93216</u>	<u>97313</u>
5	<u>18</u>	<u>85173</u>	<u>2516</u>	<u>88941</u>	<u>92717</u>	<u>98109</u>	<u>102393</u>
6	<u>19</u>	<u>89536</u>	<u>2631</u>	<u>93456</u>	<u>97393</u>	<u>102952</u>	<u>107399</u>
7	<u>20</u>	<u>93879</u>	<u>2747</u>	<u>97989</u>	<u>102109</u>	<u>107851</u>	<u>112482</u>
8	<u>21</u>	<u>98586</u>	<u>2863</u>	<u>102880</u>	<u>107171</u>	<u>113089</u>	<u>117894</u>
9	<u>22</u>	<u>103816</u>	<u>3034</u>	<u>108356</u>	<u>112898</u>	<u>119060</u>	<u>124112</u>
10	<u>23</u>	<u>108814</u>	<u>3120</u>	<u>113492</u>	<u>118173</u>	<u>124472</u>	<u>129661</u>
11	<u>24</u>	<u>114240</u>	<u>3237</u>	<u>119081</u>	<u>123932</u>	<u>130408</u>	<u>135766</u>
12	<u>25</u>	<u>120208</u>	<u>3376</u>	<u>125267</u>	<u>130319</u>	<u>137003</u>	<u>142569</u>

13 § 3. Subdivision 2-a of section 207-a of the state finance law, as  
 14 amended by chapter 257 of the laws of 2012, is amended to read as  
 15 follows:

16 2-a. Where and to the extent that an agreement between the state and  
 17 an employee organization entered into pursuant to article fourteen of  
 18 the civil service law or an interest arbitration award issued pursuant  
 19 to subdivision four of section two hundred nine of the civil service law  
 20 so provides on behalf of employees in the collective negotiating unit  
 21 designated as the security supervisors unit established pursuant to  
 22 article fourteen of the civil service law, and upon audit and warrant of  
 23 the comptroller, the director shall provide for the payment of moneys to  
 24 such employee organization for the establishment and maintenance of an  
 25 employee benefit fund established by the employee organization for the  
 26 employees in the negotiating unit covered by the controlling provision  
 27 of such agreement providing for such employee benefit fund, such amount  
 28 to be determined consistent with said agreement on the basis of the  
 29 number of full-time annual salaried employees, as determined by the  
 30 comptroller, on the payroll on the last day of the payroll period in  
 31 which March first, two thousand [~~nine~~] sixteen falls for payments to be  
 32 made on April first, two thousand [~~nine~~] sixteen and, on the last day of  
 33 the payroll period in which March first, two thousand [~~ten~~] seventeen  
 34 falls for payments to be made on April first, two thousand [~~ten~~] seven-  
 35 teen and, on the last day of the payroll period in which March first,  
 36 two thousand [~~eleven~~] eighteen falls for payments to be made on April  
 37 first, two thousand [~~eleven~~] eighteen and, on the last day of the  
 38 payroll period in which March first, two thousand [~~twelve~~] nineteen  
 39 falls for payments to be made on April first, two thousand [~~twelve~~]  
 40 nineteen and, on the last day of the payroll period in which March  
 41 first, two thousand [~~thirteen~~] twenty falls for payments to be made on  
 42 April first, two thousand [~~thirteen~~] twenty and, on the last day of the  
 43 payroll period in which March first, two thousand [~~fourteen~~] twenty-one  
 44 falls for payments to be made on April first, two thousand [~~fourteen~~]  
 45 twenty-one and, on the last day of the payroll period in which March  
 46 first, two thousand [~~fifteen~~] twenty-two falls for payments to be made  
 47 on April first, two thousand [~~fifteen~~] twenty-two. The amount, which  
 48 will be determined pursuant to this section, for employees who are paid  
 49 from special or administrative funds, other than the general fund or the  
 50 capital projects fund of the state, will be paid from the appropriations  
 51 as provided by law, in which case the comptroller will establish proce-  
 52 dures to ensure repayment from said special or administrative funds. The  
 53 director may enter into an agreement with an employee organization which  
 54 sets forth the specific terms and conditions of the establishment and  
 55 administration of an employee benefit fund as a condition for the trans-

1 mittal of moneys pursuant to this section. Such agreement shall provide  
 2 that any contributions paid to the employee organization for the estab-  
 3 lishment and maintenance of the employee benefit fund pursuant to this  
 4 section on behalf of eligible members of this unit shall be offset by  
 5 contributions already made on behalf of those members in each of the  
 6 covered years, where applicable.

7 § 4. Subparagraphs 1 and 2 of paragraph e of subdivision 1 of section  
 8 130 of the civil service law, as added by section 1 of part B of chapter  
 9 60 of the laws of 2022, are amended to read as follows:

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

11	SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR	JR
12			1	2	3	4	5	6			INC
13	1	25825	26696	27567	28438	29309	30180	31051	31922	871	871
14	2	26811	27725	28639	29553	30467	31381	32295	33216	914	921
15	3	28150	29106	30062	31018	31974	32930	33886	34835	956	949
16	4	29379	30390	31401	32412	33423	34434	35445	36456	1011	1011
17	5	30785	31844	32903	33962	35021	36080	37139	38198	1059	1059
18	6	32507	33607	34707	35807	36907	38007	39107	40214	1100	1107
19	7	34304	35458	36612	37766	38920	40074	41228	42389	1154	1161
20	8	36239	37438	38637	39836	41035	42234	43433	44625	1199	1192
21	9	38257	39510	40763	42016	43269	44522	45775	47028	1253	1253
22	10	40446	41760	43074	44388	45702	47016	48330	49637	1314	1307
23	11	42792	44171	45550	46929	48308	49687	51066	52438	1379	1372
24	12	45241	46668	48095	49522	50949	52376	53803	55223	1427	1420
25	13	47923	49416	50909	52402	53895	55388	56881	58374	1493	1493
26	14	50697	52251	53805	55359	56913	58467	60021	61575	1554	1554
27	15	53641	55260	56879	58498	60117	61736	63355	64981	1619	1626
28	16	56646	58340	60034	61728	63422	65116	66810	68511	1694	1701
29	17	59834	61624	63414	65204	66994	68784	70574	72364	1790	1790
30	18	60069	62129	64189	66249	68309	70369	72429	76387	2060	3958
31	19	63325	65472	67619	69766	71913	74060	76207	80429	2147	4222
32	20	66566	68808	71050	73292	75534	77776	80018	84450	2242	4432
33	21	70094	72430	74766	77102	79438	81774	84110	88877	2336	4767
34	22	73863	76298	78733	81168	83603	86038	88473	93519	2435	5046
35	23	77771	80304	82837	85370	87903	90436	92969	98372	2533	5403
36	24	81912	84546	87180	89814	92448	95082	97716	103405	2634	5689
37	25	86432	89177	91922	94667	97412	100157	102902	108935	2745	6033
38	26	90984	93839	96694	99549	102404	105259	108114	<del>114357</del>	2855	<del>6243</del>
39											<u>4036</u>
40									<u>112150</u>		
41	27	95910	98917	101924	104931	107938	110945	113952	<del>120454</del>	3007	<del>6502</del>
42											<u>4177</u>
43									<u>118129</u>		
44	28	100959	104083	107207	110331	113455	116579	119703	<del>126437</del>	3124	<del>6734</del>
45											<u>4293</u>
46									<u>123996</u>		
47	29	106252	109494	112736	115978	119220	122462	125704	<del>132689</del>	3242	<del>6985</del>
48											<u>4425</u>
49									<u>130129</u>		
50	30	111803	115166	118529	121892	125255	128618	131981	<del>139202</del>	3363	<del>7221</del>
51											<u>4535</u>
52									<u>136516</u>		
53	31	117762	121252	124742	128232	131722	135212	138702	<del>146179</del>	3490	<del>7477</del>
54											<u>4656</u>
55									<u>143358</u>		

1 32 124025 127631 131237 134843 138449 142055 145661 [~~153401~~] 3606[~~7740~~]  
 2 4780

3 150441

4 (2) Effective April sixth, two thousand twenty-two:

5	SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR	JR
6			1	2	3	4	5	6			INC
7	1	26342	27231	28120	29009	29898	30787	31676	32558	889	882
8	2	27347	28279	29211	30143	31075	32007	32939	33878	932	939
9	3	28713	29688	30663	31638	32613	33588	34563	35531	975	968
10	4	29967	30998	32029	33060	34091	35122	36153	37184	1031	1031
11	5	31401	32481	33561	34641	35721	36801	37881	38961	1080	1080
12	6	33157	34279	35401	36523	37645	38767	39889	41018	1122	1129
13	7	34990	36167	37344	38521	39698	40875	42052	43236	1177	1184
14	8	36964	38187	39410	40633	41856	43079	44302	45518	1223	1216
15	9	39022	40300	41578	42856	44134	45412	46690	47968	1278	1278
16	10	41255	42595	43935	45275	46615	47955	49295	50628	1340	1333
17	11	43648	45055	46462	47869	49276	50683	52090	53490	1407	1400
18	12	46146	47601	49056	50511	51966	53421	54876	56324	1455	1448
19	13	48881	50404	51927	53450	54973	56496	58019	59542	1523	1523
20	14	51711	53296	54881	56466	58051	59636	61221	62806	1585	1585
21	15	54714	56366	58018	59670	61322	62974	64626	66278	1652	1652
22	16	57779	59507	61235	62963	64691	66419	68147	69882	1728	1735
23	17	61031	62857	64683	66509	68335	70161	71987	73813	1826	1826
24	18	61270	63372	65474	67576	69678	71780	73882	77912	2102	4030
25	19	64592	66782	68972	71162	73352	75542	77732	82036	2190	4304
26	20	67897	70184	72471	74758	77045	79332	81619	86140	2287	4521
27	21	71496	73879	76262	78645	81028	83411	85794	90657	2383	4863
28	22	75340	77823	80306	82789	85272	87755	90238	95392	2483	5154
29	23	79326	81910	84494	87078	89662	92246	94830	100342	2584	5512
30	24	83550	86237	88924	91611	94298	96985	99672	105472	2687	5800
31	25	88161	90961	93761	96561	99361	102161	104961	111111	2800	6150
32	26	92804	95716	98628	101540	104452	107364	110276	[ <del>118931</del> ]	2912[ <del>8655</del> ]	<u>4117</u>
33									<u>114393</u>		
34									[ <del>125272</del> ]	3067[ <del>9042</del> ]	<u>4262</u>
35	27	97828	100895	103962	107029	110096	113163	116230	[ <del>125272</del> ]	3067[ <del>9042</del> ]	<u>4262</u>
36									<u>120492</u>		
37									[ <del>131494</del> ]	3187[ <del>9394</del> ]	<u>4376</u>
38	28	102978	106165	109352	112539	115726	118913	122100	[ <del>131494</del> ]	3187[ <del>9394</del> ]	<u>4376</u>
39									<u>126476</u>		
40									[ <del>137997</del> ]	3307[ <del>9778</del> ]	<u>4513</u>
41	29	108377	111684	114991	118298	121605	124912	128219	[ <del>137997</del> ]	3307[ <del>9778</del> ]	<u>4513</u>
42									<u>132732</u>		
43											
44	30	114039	117470	120901	124332	127763	131194	134625			
45									[ <del>144770</del> ]	3431	
[10145]											<u>4621</u>
46									<u>139246</u>		
47											
48	31	120117	123677	127237	130797	134357	137917	141477			
49									[ <del>152026</del> ]	3560	
[10549]											<u>4748</u>
50									<u>146225</u>		
51											
52	32	126506	130184	133862	137540	141218	144896	148574			
53									[ <del>159537</del> ]	3678	
[10963]											



1

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2 § 5. Compensation for certain members of the collective negotiating  
3 unit designated as the security supervisors collective negotiating unit  
4 pursuant to an agreement between the state of New York and the employee  
5 organization representing such individuals.

6 1. The provisions of this section shall apply to full-time annual-sa-  
7 laryed officers and employees in the collective negotiating unit desig-  
8 nated as the security supervisors collective negotiating unit estab-  
9 lished pursuant to article 14 of the civil service law (hereinafter  
10 "security supervisors unit") who are not eligible for binding interest

1 ant to article 14 of the civil service law (hereinafter "the agreement"  
2 or "an agreement").

3 11. Effective April 1, 2016, pursuant to the terms of an agreement  
4 covering all full-time officers and employees in the security supervi-  
5 sors unit to whom the provision of this section apply and, for such unit  
6 members who are on the institutional or administrative payroll, the  
7 ten-year, the fifteen-year, the twenty-year and the twenty-five year  
8 longevity step payment for such unit members to whom the provisions of  
9 this section apply shall be that amount prescribed by paragraph b of  
10 subdivision 1 of section 130 of the civil service law, as added by  
11 section two of this act.

12 12. Notwithstanding any of the foregoing provisions of this section,  
13 if the basic annual salary of such unit members to whom the provisions  
14 of this section apply is identical with the hiring rate, performance  
15 advance step one, two, three, four or five, the job rate, the ten-year  
16 longevity step, the fifteen-year longevity step, the twenty-year longev-  
17 ity step or the twenty-five year longevity step of the salary grade of  
18 his or her position on the effective dates of the increases provided by  
19 this section, respectively, for such unit members to whom the provisions  
20 of this section apply on the institutional or administrative payroll,  
21 such basic annual salary shall be increased to the hiring rate, perform-  
22 ance advance step one, two, three, four or five, the job rate, the ten-  
23 year longevity step, the fifteen-year longevity step, the twenty-year  
24 longevity step or the twenty-five year longevity step of such salary  
25 grade as contained in paragraph b of subdivision 1 of section 130 of the  
26 civil service law, as added by section two of this act, to take effect  
27 on the dates provided in paragraph b of subdivision 1 of section 130 of  
28 the civil service law, as added by section two of this act. The  
29 increases in basic annual salary provided by this subdivision shall be  
30 in lieu of any increase in basic annual salary provided for in subdivi-  
31 sions two, three, four, five, six, seven, eight and nine of this  
32 section.

33 13. If an unencumbered position is one which if encumbered, would be  
34 subject to the provisions of this section, the salary of such position  
35 shall be increased by the salary increase amounts specified in this  
36 section. If a position is created and is filled by the appointment of  
37 such unit members to whom the provisions of this section apply, the  
38 salary otherwise provided for such position shall be increased in the  
39 same manner as though such position had been in existence but unencum-  
40 bered. Notwithstanding the provisions of this section, the director of  
41 the budget may reduce the salary of any such position, which is or  
42 becomes vacant.

43 14. The increases in salary payable pursuant to this section shall  
44 apply on a prorated basis to officers and employees, otherwise eligible  
45 to receive an increase in salary pursuant to this section, who are paid  
46 on an hourly or per diem basis, employees serving on a part-time or  
47 seasonal basis and employees paid on any basis other than at an annual-  
48 salaried rate; except that the provisions of subdivisions ten, eleven  
49 and twelve of this section shall not apply to employees serving on an  
50 hourly, per diem, or seasonal basis, except as determined by the direc-  
51 tor of the budget.

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

55 16. In order to provide for the annual-salaried officers and employees  
56 to whom this section applies who are not allocated to salary grades,

1 performance advancements and payments in proportion to those provided to  
2 persons to whom this section applies who are allocated to salary grades,  
3 the director of the budget is authorized to add appropriate adjustments  
4 to the compensation which such officers and employees are otherwise  
5 entitled to receive. The director of the budget shall issue certificates  
6 which shall contain schedules of positions and the salaries thereof for  
7 which adjustments are made pursuant to the provisions of this subdivi-  
8 sion, and a copy of each such certificate shall be filed with the state  
9 comptroller, the department of civil service, the chairman of the senate  
10 finance committee and the chairman of the assembly ways and means  
11 committee.

12 17. Notwithstanding any of the foregoing provisions of this section,  
13 any increase in compensation may be withheld in whole or in part from  
14 any such unit members to whom the provisions of this section apply when,  
15 in the opinion of the director of the division of the budget and the  
16 director of employee relations, such increase is not warranted or is not  
17 appropriate for any reason.

18 § 6. Compensation for certain members of the collective negotiating  
19 unit designated as the security supervisors collective negotiating unit  
20 pursuant to an agreement between the state of New York and the employee  
21 organization representing such individuals.

22 1. The provisions of this section shall apply to full-time annual-sa-  
23 lariumed officers and employees in the security supervisors unit who are  
24 employed within the state department of corrections and community super-  
25 vision, who are designated as peace officers pursuant to section 2.10 of  
26 the criminal procedure law and who are eligible for binding interest  
27 arbitration pursuant to subdivision 4 of section 209 of the civil  
28 service law (hereinafter "employees who are eligible for interest arbi-  
29 tration").

30 2. Effective April 1, 2016, the basic annual salary of all officers  
31 and employees in the security supervisors unit who are eligible for  
32 interest arbitration and are in full-time annual-salaried employment  
33 status on March 31, 2016, shall be increased by two percent.

34 3. Effective April 1, 2017, the basic annual salary of all officers  
35 and employees in the security supervisors unit who are eligible for  
36 interest arbitration and are in full-time annual-salaried employment  
37 status on March 31, 2017, shall be increased by two percent.

38 4. Effective April 1, 2018, the basic annual salary of all officers  
39 and employees in the security supervisors unit who are eligible for  
40 interest arbitration and are in full-time annual-salaried employment  
41 status on March 31, 2018, shall be increased by two percent.

42 5. Effective April 1, 2019, the basic annual salary of all officers  
43 and employees in the security supervisors unit who are eligible for  
44 interest arbitration and are in full-time annual-salaried employment  
45 status on March 31, 2019, shall be increased by two percent.

46 6. Effective April 1, 2020, the basic annual salary of all officers  
47 and employees in the security supervisors unit who are eligible for  
48 interest arbitration and are in full-time annual-salaried employment  
49 status on March 31, 2020, shall be increased by two percent.

50 7. Effective April 1, 2021, the basic annual salary of all officers  
51 and employees in the security supervisors unit who are eligible for  
52 interest arbitration and are in full-time annual-salaried employment  
53 status on March 31, 2021, shall be increased by two percent.

54 8. Effective October 1, 2021, the basic annual salary of members of  
55 the security supervisors unit who are eligible for interest arbitration  
56 and are in full-time annual-salaried employment status on September 30,

1 2021 and at the twenty-five year longevity step, shall be increased by  
2 five hundred dollars.

3 9. Effective April 1, 2022, the basic annual salary of all officers  
4 and employees in the security supervisors unit who are eligible for  
5 interest arbitration and are in full-time annual-salaried employment  
6 status on March 31, 2022, shall be increased by two percent.

7 10. Advancement within a salary grade. Payments pursuant to the  
8 provisions of subdivision 6 of section 131 of the civil service law for  
9 all annual-salaried officers and employees in the security supervisors  
10 unit to whom the provisions of this section apply and who are entitled  
11 to such payments shall be payable pursuant to the terms of an agreement  
12 between the state of New York and an employee organization representing  
13 employees subject to the provisions of this section entered into pursu-  
14 ant to article 14 of the civil service law (hereinafter "the agreement"  
15 or "an agreement").

16 11. Effective April 1, 2016, pursuant to the terms of an agreement  
17 covering all full-time officer and employee members of the security  
18 supervisors unit to whom the provisions of this section apply, for such  
19 unit members who are on the institutional or administrative payroll, the  
20 ten-year, the fifteen-year, the twenty-year and the twenty-five year  
21 longevity step payment for such unit members to whom the provisions of  
22 this section apply shall be that amount prescribed by paragraph i of  
23 subdivision 1 of section 130 of the civil service law, as added by  
24 section one of this act.

25 12. Notwithstanding any of the foregoing provisions of this section,  
26 if the basic annual salary of such unit members to whom the provisions  
27 of this section apply is identical with the hiring rate, performance  
28 advance step one, two, three, four or five, the job rate, the ten-year  
29 longevity step, the fifteen-year longevity step, the twenty-year longev-  
30 ity step or the twenty-five year longevity step of the salary grade of  
31 his or her position on the effective dates of the increases provided by  
32 this section, respectively, for such unit members to whom the provisions  
33 of this section apply on the institutional or administrative payroll,  
34 such basic annual salary shall be increased to the hiring rate, perform-  
35 ance advance step one, two, three, four or five, the job rate, the ten-  
36 year longevity step, the fifteen-year longevity step, the twenty-year  
37 longevity step or the twenty-five year longevity step of such salary  
38 grade as contained in paragraph i of subdivision 1 of section 130 of the  
39 civil service law, as added by section one of this act, to take effect  
40 on the dates provided in paragraph i of subdivision 1 of section 130 of  
41 the civil service law, as added by section one of this act. The  
42 increases in basic annual salary provided by this subdivision shall be  
43 in lieu of any increase in basic annual salary provided for in subdivi-  
44 sions two, three, four, five, six, seven, eight and nine of this  
45 section.

46 13. If an unencumbered position is one which if encumbered, would be  
47 subject to the provisions of this section, the salary of such position  
48 shall be increased by the salary increase amounts specified in this  
49 section. If a position is created, and is filled by the appointment of  
50 such unit members to whom the provisions of this section apply, the  
51 salary otherwise provided for such position shall be increased in the  
52 same manner as though such position had been in existence but unencum-  
53 bered. Notwithstanding the provisions of this section, the director of  
54 the budget may reduce the salary of any such position, which is or  
55 becomes vacant.

1 14. The increases in salary payable pursuant to this section shall  
2 apply on a prorated basis to officers and employees, otherwise eligible  
3 to receive an increase in salary pursuant to this section, who are paid  
4 on an hourly or per diem basis, employees serving on a part-time or  
5 seasonal basis and employees paid on any basis other than at an annual-  
6 salaried rate; except that the provisions of subdivisions ten, eleven  
7 and twelve of this section shall not apply to employees serving on an  
8 hourly, per diem, or seasonal basis, except as determined by the direc-  
9 tor of the budget.

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

13 16. In order to provide for the annual-salaried officers and employees  
14 to whom this section applies who are not allocated to salary grades,  
15 performance advancements and payments in proportion to those provided to  
16 persons to whom this section applies who are allocated to salary grades,  
17 the director of the budget is authorized to add appropriate adjustments  
18 to the compensation which such officers and employees are otherwise  
19 entitled to receive. The director of the budget shall issue certificates  
20 which shall contain schedules of positions and the salaries thereof for  
21 which adjustments are made pursuant to the provisions of this subdivi-  
22 sion, and a copy of each such certificate shall be filed with the state  
23 comptroller, the department of civil service, the chairman of the senate  
24 finance committee and the chairman of the assembly ways and means  
25 committee.

26 17. Notwithstanding any of the foregoing provisions of this section,  
27 any increase in compensation may be withheld in whole or in part from  
28 any such unit members to whom the provisions of this section apply when,  
29 in the opinion of the director of the division of the budget and the  
30 director of employee relations, such increase is not warranted or is not  
31 appropriate for any reason.

32 § 7. Additional compensation for all members of the security supervi-  
33 sors unit who are in full-time annual-salaried employment status.

34 1. In recognition of the general requirement for full-time annual  
35 salaried employees of the state in the security supervisors unit to  
36 assemble for briefing prior to the commencement of duties, where and to  
37 the extent an agreement so provides, each such employee except such an  
38 employee receiving additional compensation pursuant to subdivision 5 of  
39 section 134 of the civil service law, shall receive additional compen-  
40 sation in recognition of pre-shift briefing.

41 2. Each such employee holding a position in the security supervisors  
42 unit shall be compensated for pre-shift briefing in accordance with the  
43 terms of the agreement covering certain members of the security supervi-  
44 sors unit. No payments authorized pursuant to this section and such  
45 negotiated agreement shall be made to an employee who is in non pay  
46 status for that day.

47 3. Any such additional compensation pursuant to this section shall be  
48 paid in addition to and shall not be a part of the employee's basic  
49 annual salary and shall not be included as compensation for the purposes  
50 of computation of overtime pay; provided, however, that such additional  
51 compensation shall be included for retirement purposes. Notwithstanding  
52 the foregoing provisions of this section or of any other law, such addi-  
53 tional compensation shall be in lieu of the continuation of any other  
54 additional compensation for such employees in recognition of pre-shift  
55 briefing.

1 § 8. Command pay. 1. Pursuant to the terms of an agreement between the  
2 state and an employee organization entered into pursuant to article 14  
3 of the civil service law covering members of the collective negotiating  
4 unit designated as security supervisors, effective April 1, 2016, secu-  
5 rity supervisors command pay shall continue to be one thousand seven  
6 hundred seventy-four dollars. Effective April 1, 2019, this amount shall  
7 be increased by eleven hundred dollars plus, for the April 1, 2019  
8 through March 31, 2022 period an additional temporary increase of \$500  
9 per annum.

10 2. These payments will be equally divided over the 26 payroll periods  
11 in each fiscal year and shall count as compensation for overtime and  
12 retirement purposes.

13 § 9. Hazardous duty pay. 1. Pursuant to the terms of an agreement  
14 covering certain members of the security supervisors unit who are ineli-  
15 gible for interest arbitration, are full-time annual salaried employees,  
16 have completed one year of service in the bargaining unit and, notwith-  
17 standing any inconsistent provision of law, rule or regulation to the  
18 contrary, where and to the extent that an agreement so provides, effec-  
19 tive April 1, 2019, such eligible members of the security supervisors  
20 unit shall receive \$150 annually. Effective April 1, 2020, this payment  
21 shall increase to \$200 annually. This payment will be equally divided  
22 over the 26 payroll periods in each fiscal year and shall be included as  
23 compensation for overtime and retirement purposes.

24 2. Pursuant to the terms of an agreement covering members of the secu-  
25 rity supervisors unit who are employed within the state department of  
26 corrections and community supervision and who are designated as peace  
27 officers pursuant to section 2.10 of the criminal procedure law, have  
28 completed one year of service in the bargaining unit and notwithstanding  
29 any other provision of law, effective April 1, 2019, such annual sala-  
30 ried unit members to whom the provisions of this section apply shall  
31 receive \$750 annually. Such payment shall be increased to \$950 effective  
32 April 1, 2020. Such payment shall be increased to \$1,150 effective April  
33 1, 2021. Such payment shall be increased to \$1,500 effective October 1,  
34 2021. Payment for such compensation shall be equally divided over the 26  
35 payroll periods in each fiscal year and shall be included as compen-  
36 sation for overtime and retirement purposes.

37 § 10. Location compensation for certain state officers and employees  
38 in the collective negotiating unit designated as security supervisors  
39 for arbitration ineligible members.

40 1. Pursuant to the terms of an agreement covering certain members of  
41 the security supervisors unit who are ineligible for interest arbi-  
42 tration, and notwithstanding any inconsistent provision of law, rule or  
43 regulation to the contrary, effective April 1, 2016, all members of the  
44 security supervisors unit who are ineligible for interest arbitration  
45 and are full-time annual-salaried employees and whose principal place of  
46 employment or, in the case of a field employee, whose official station  
47 as determined in accordance with the regulations of the comptroller is  
48 located in the county of Monroe and who were eligible to receive loca-  
49 tional pay on May 23, 1985 shall receive locational pay at the rate of  
50 two hundred three dollars per year provided they continue to be other-  
51 wise eligible.

52 2. Pursuant to the terms of an agreement covering certain members of  
53 the security supervisors unit who are ineligible for interest arbi-  
54 tration, and notwithstanding any inconsistent provision of law, rule or  
55 regulation to the contrary, all members of the security supervisors unit  
56 who are ineligible for interest arbitration and are full-time annual-sa-

1 laried employees and whose principal place of employment or, in the case  
 2 of a field employee, whose official station as determined in accordance  
 3 with the regulations of the state comptroller, is in the city of New  
 4 York or in the county of Nassau, Suffolk, Westchester or Rockland or in  
 5 the county of Orange, Putnam or Dutchess shall receive locational  
 6 compensation in the annual amounts as follows:

	Nassau, Suffolk, Westchester, Rockland or city of New York	Orange, Putnam or Dutchess
9 4/1/2016	\$1,722	\$919
10 4/1/2017	\$1,722	\$919
11 4/1/2018	\$1,722	\$919
12 4/1/2019	\$1,722	\$919
13 4/1/2020	\$1,756	\$937
14 4/1/2021	\$1,791	\$956
15 4/1/2022	\$1,827	\$975

16 3. The locational compensation as set out in all subdivisions of this  
 17 section shall be in addition to and shall not be a part of an employee's  
 18 basic annual salary, and shall not affect or impair any performance  
 19 advance or other rights or benefits to which an employee may be entitled  
 20 by law; provided, however, that locational pay shall be included as  
 21 compensation for the purposes of computation of overtime pay and for  
 22 retirement purposes. This payment will be equally divided over the 26  
 23 payroll periods in each fiscal year.

24 § 11. Location compensation for certain state officers and employees  
 25 in the collective negotiating unit designated as security supervisors  
 26 for arbitration eligible members.

27 1. Pursuant to the terms of an agreement covering certain members of  
 28 the security supervisors unit who are eligible for interest arbitration,  
 29 and notwithstanding any inconsistent provision of law, rule or regu-  
 30 lation to the contrary, all members of this unit who are employed by the  
 31 state department of corrections and community supervision as peace offi-  
 32 cers pursuant to subdivision 25 of section 2.10 of the criminal proce-  
 33 dure law, and are full-time annual-salaried employees and whose princi-  
 34 pal place of employment, or, in the case of a field employee, whose  
 35 official station as determined in accordance with the regulations of the  
 36 state comptroller, is located in the city of New York, or in the county  
 37 of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk,  
 38 shall receive locational compensation in the annual amounts as follows:

	Orange/Putnam/ Dutchess	NYC/Rockland/ Westchester	Nassau/Suffolk
41 4/1/2016	\$1,280	\$3,438	\$3,514
42 4/1/2017	\$1,280	\$3,438	\$3,514
43 4/1/2018	\$1,280	\$3,438	\$3,514
44 4/1/2019	\$1,280	\$3,438	\$3,514
45 4/1/2020	\$1,306	\$3,507	\$3,584
46 4/1/2021	\$1,332	\$3,577	\$3,656
47 4/1/2022	\$1,359	\$3,649	\$3,729

1 2. The locational compensation as set out in all subdivisions of this  
2 section shall be in addition to and shall not be a part of an employee's  
3 basic annual salary, and shall not affect or impair any performance  
4 advance or other rights or benefits to which an employee may be entitled  
5 by law; provided, however, that locational pay shall be included as  
6 compensation for the purposes of computation of overtime pay and for  
7 retirement purposes. This payment will be equally divided over the 26  
8 payroll periods in each fiscal year.

9 § 12. Continuation of locational compensation for certain officers and  
10 employees of the Hudson Valley developmental disabilities services  
11 office.

12 1. Notwithstanding any law, rule or regulation to the contrary, any  
13 officer or employee of the Hudson Valley developmental disabilities  
14 services office represented in the security supervisors unit, who is  
15 receiving locational pay pursuant to section 5 of chapter 174 of the  
16 laws of 1993 shall continue to receive such locational pay under the  
17 conditions and at the rates specified by such section 5 of chapter 174  
18 of the laws of 1993.

19 2. Notwithstanding any law, rule or regulation to the contrary, any  
20 officer or employee of the Hudson Valley developmental disabilities  
21 services office represented in the security supervisors unit who is  
22 receiving locational pay pursuant to subdivision 2 of section 11 of  
23 chapter 3 of the laws of 1996 shall continue to receive such locational  
24 pay under the conditions and at the rates specified by such subdivision  
25 2 of section 11 of chapter 3 of the laws of 1996.

26 3. Notwithstanding this section of this act or any other law, rule or  
27 regulation to the contrary, any officer or employee of the Hudson Valley  
28 developmental disabilities services office represented in the security  
29 supervisors unit who is receiving locational pay pursuant to this  
30 section shall continue to be eligible for such locational pay if such  
31 officer's or employee's principal place of employment is changed to a  
32 location outside of the county of Rockland as the result of a reduction  
33 or redeployment of staff; provided, however, that such officer or  
34 employee is reassigned to or otherwise appointed or promoted to a  
35 different position at another work location within such Hudson Valley  
36 developmental disabilities services office located outside of the county  
37 of Rockland. The rate of such continued locational pay shall not exceed  
38 the rate such officer or employee is receiving on the date of such reas-  
39 signment, appointment or promotion.

40 § 13. Inconvenience pay program for arbitration ineligible employees.  
41 Pursuant to chapter 333 of the laws of 1969, as amended, and an agree-  
42 ment covering certain members of the security supervisors unit who are  
43 ineligible for interest arbitration, are full-time annual-salaried  
44 employees and, notwithstanding any inconsistent provision of law, rule  
45 or regulation to the contrary, where and to the extent that an agreement  
46 so provides, effective April 1, 2016, the inconvenience pay provided to  
47 eligible employees shall continue to be six hundred twenty-six dollars  
48 per year for working four or more hours between the hours of 6:00 p.m.  
49 and 6:00 a.m., except on an overtime basis.

50 § 14. Inconvenience pay program for arbitration eligible employees.  
51 Pursuant to the terms of an agreement covering certain members of the  
52 security supervisors unit who are eligible for interest arbitration and  
53 who are employed by the state department of corrections and community  
54 supervision and are designated as peace officers pursuant to subdivision  
55 25 of section 2.10 of the criminal procedure law, effective April 1,  
56 2016, the inconvenience pay paid to unit members to whom the provisions



1 of this section apply who work the evening shift as defined by the indi-  
2 vidual facilities within the department of corrections and community  
3 supervision, shall continue to be one thousand nine hundred twenty-eight  
4 dollars. Effective April 1, 2016, the inconvenience pay paid to unit  
5 members to whom the provisions of this section apply who work the night  
6 shift as defined by the individual facilities within the department of  
7 corrections and community supervision shall continue to be nine hundred  
8 sixty-four dollars.

9 § 15. Dependent care deductions. Notwithstanding any other provision  
10 of law, rule or regulation to the contrary, where and to the extent that  
11 an agreement so provides on behalf of employees in the security supervi-  
12 sors unit, the state shall contribute an amount designated in such  
13 agreement and for the period covered by such agreement to the accounts  
14 of such employees enrolled for dependent care deductions pursuant to  
15 section 201-a of the state finance law. Such amounts shall be from funds  
16 appropriated in this act and shall not be part of basic annual salary  
17 for overtime and retirement purposes.

18 § 16. Statewide joint labor-management committee. During the period  
19 April 1, 2016 through March 31, 2023, there shall be a statewide joint  
20 labor-management committee continued and administered pursuant to the  
21 terms of an agreement covering employees in the security supervisors  
22 unit which shall, within the amounts available therefor, study and make  
23 recommendations concerning major issues of health insurance, employee  
24 assistance, work-life services, family benefits, performance evaluation,  
25 education and training and provide for the implementation of the terms  
26 of agreements of such committee.

27 § 17. Grievance and arbitration settlements and awards. Notwithstand-  
28 ing any provision of law, rule or regulation to the contrary, the appro-  
29 priations contained in this act shall be available to the state of New  
30 York for the payment and publication of grievance and arbitration  
31 settlements and awards to employees of the security supervisors unit  
32 covered by the terms of the agreement referenced in sections one and two  
33 of this act.

34 § 18. Salaries of employees hired on or after September 1, 1992.  
35 Notwithstanding any provision of law, rule or regulation to the contra-  
36 ry, and where and to the extent an agreement covering employees in the  
37 security supervisors unit so provides, the salaries of employees newly  
38 hired on or after September 1, 1992 into state service in positions  
39 within said negotiating unit shall not be subject to the provisions of  
40 subdivision 2-a of section 200 of the state finance law.

41 § 19. Date of entitlement to salary increase. Notwithstanding the  
42 provisions of this act or of any other provision of law, rule or regu-  
43 lation to the contrary, the increase in salary or compensation of all  
44 members of the security supervisors unit, including those who are  
45 employed by the state department of corrections and community super-  
46 vision and are peace officers pursuant to subdivision 25 of section 2.10  
47 of the criminal procedure law, and those who are ineligible for interest  
48 arbitration, shall be added to the salary of such member at the begin-  
49 ning of that payroll period the first day of which is nearest to the  
50 effective date of such increase as provided in this act, or at the  
51 beginning of the earlier of the payroll periods the first days of which  
52 are nearest but equally near to the effective date of such increase as  
53 provided in this act; provided, however, that for the purposes of deter-  
54 mining the salary of such unit members upon reclassification, reallo-  
55 cation, appointment, promotion, transfer, demotion, reinstatement, or  
56 other change of status, such salary increase shall be deemed to be

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

6 § 20. Deferred payment of salary increase. Notwithstanding the  
7 provisions of any other section of this act, or of any other law, rule  
8 or regulation to the contrary, pending payment pursuant to this act of  
9 the basic annual salaries and other compensation due to incumbents of  
10 positions subject to this act such incumbents shall receive, as partial  
11 compensation for services rendered, the rate of compensation otherwise  
12 payable in their respective positions. An incumbent holding a position  
13 subject to this act at any time during the period from April 1, 2016,  
14 until the time when basic annual salaries are first paid pursuant to  
15 this act for such services in excess of the compensation actually  
16 received therefor, shall be entitled to a lump sum payment for the  
17 difference between the salary to which such incumbent is entitled for  
18 such services and the compensation actually received therefor. Such lump  
19 sum payment shall be made in one payment in accordance with the terms of  
20 the agreement between the state and the employee organization represent-  
21 ing the members of the security supervisors unit. Notwithstanding the  
22 provisions of this section or of any other section of this act, effec-  
23 tive the pay period for which overtime earned as of April 1, 2019 would  
24 be paid, the overtime earned subsequent to April 1, 2019 shall be recal-  
25 culated to reflect the adjustment of the denominator used for purposes  
26 of calculating overtime, and such recalculation will be reconciled,  
27 adjusted and applied against the retroactive payment referenced herein.  
28 Notwithstanding any provision of law, rule or regulation to the contra-  
29 ry, no lump sum payment shall be made to any member of the security  
30 supervisors unit who was terminated from employment pursuant to a disci-  
31 plinary termination. Notwithstanding any provision of law, rule or  
32 regulation to the contrary, no member of the security supervisors unit  
33 to whom the provisions of this act apply shall be entitled to, or owed,  
34 any interest or other penalty for any reason on any monies due to such  
35 member pursuant to the terms of this act and the terms of the agreement  
36 covering employees in the security supervisors unit.

37 § 21. Use of appropriations. The comptroller is authorized to pay any  
38 amounts required during the fiscal year commencing April 1, 2022 by the  
39 foregoing provisions of this act for any state department or agency from  
40 any appropriation or other funds available to such state department or  
41 agency for personal service or for other related employee benefits  
42 during such fiscal year. To the extent that such appropriations are  
43 insufficient to accomplish the purposes herein set forth, the director  
44 of the budget is authorized to allocate to the various departments and  
45 agencies, from any appropriations available, the amounts necessary to  
46 pay such amounts. The aforementioned appropriations shall be available  
47 for payment of any liabilities or obligations incurred prior to or  
48 during the state fiscal year commencing April 1, 2022.

49 § 22. Notwithstanding any provision of law to the contrary or the  
50 provisions of any section of this act, the salary increases and lump sum  
51 payments provided for in this act shall not be implemented until the  
52 director of employee relations has delivered a letter to the director of  
53 the budget and the state comptroller certifying that there is in effect  
54 with respect to such negotiating unit a collectively negotiated agree-  
55 ment, ratified by the membership, which provides for such increases and

1 modifications, and which are fully executed in writing with the state  
2 pursuant to article 14 of the civil service law.

3 § 23. Notwithstanding any provision of the state finance law or any  
4 other provision of law to the contrary, the sum of \$52,100,000 is hereby  
5 appropriated in the general fund/state purposes account (10050) in  
6 miscellaneous-all state departments and agencies solely for  
7 apportionment/transfer by the director of the budget for use by any  
8 state department or agency in any fund for the period April 1, 2016  
9 through March 31, 2023 to supplement appropriations for personal  
10 service, other than personal service and fringe benefits, and to carry  
11 out the provisions of this act. No money shall be available for expendi-  
12 ture from this appropriation until a certificate of approval has been  
13 issued by the director of the budget and a copy of such certificate or  
14 any amendment thereto has been filed with the state comptroller, the  
15 chair of the senate finance committee and the chair of the assembly ways  
16 and means committee. The monies hereby appropriated are available for  
17 payment of any liabilities or obligations incurred prior to or during  
18 the period April 1, 2016 through March 31, 2023. For this purpose, the  
19 monies appropriated shall remain in full force and effect for the  
20 payment of liabilities incurred on or before March 31, 2023.

21 § 24. Notwithstanding any provision of the state finance law or any  
22 other provision of law to the contrary, the several amounts as herein-  
23 after set forth, or so much thereof as may be necessary, are hereby  
24 appropriated from the fund so designated for use by any state department  
25 or agency for the period April 1, 2016 through March 31, 2023 to supple-  
26 ment appropriations from each respective fund available for the purpose  
27 designated herein and to carry out the provisions of this act. The  
28 monies hereby appropriated are available for the payment of any liabil-  
29 ities or obligations incurred prior to or during the period commencing  
30 April 1, 2016 through March 31, 2023. No money shall be available for  
31 expenditure from the monies appropriated until a certificate of approval  
32 has been issued by the director of the budget and a copy of such certifi-  
33 cate or any amendment thereto has been filed with the state comp-  
34 troller, the chair of the senate finance committee and the chair of the  
35 assembly ways and means committee.

36 ALL STATE DEPARTMENTS AND AGENCIES  
37 Special Pay Bills

38 General Fund / State Operations  
39 State Purposes Account - 003

40 Nonpersonal Service

41	Employee training and development ...	63,477
42	Quality of work life committee .....	118,440
43	Family benefits committee .....	43,871
44	Employee assistance program .....	10,662
45	Contract administration .....	50,000
46	Employee benefit fund .....	154,000
47	Legal defense fund .....	5,000
48	Management directed training .....	143,044
49	Organizational alcoholism program ...	16,557
50	Joint Committee on Health Benefits ..	51,283

1 § 25. This act shall take effect immediately and shall be deemed to  
2 have been in full force and effect on and after April 1, 2016.

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REPEAL NOTE. -- Paragraph i of subdivision 1 of section 130 of the civil service law is REPEALED and replaced by a new paragraph i reflecting the new salary schedules negotiated between the state and employee organization representing employees in the security supervisors negotiating unit established by article 14 of the civil service law for arbitration eligible employees.

Paragraph b of subdivision 1 of section 130 of the civil service law is REPEALED and replaced by a new paragraph b reflecting the new salary schedules negotiated between the state and employee organization representing employees in the security supervisors negotiating unit established by article 14 of the civil service law for arbitration ineligible employees.

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## STATE OF NEW YORK

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9478

### IN SENATE

June 2, 2022

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

AN ACT to amend the 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:**

1 Section 1. This act enacts into law legislation necessary to implement  
 2 collective bargaining agreements and to implement changes to salary and  
 3 benefits for certain state officers and employees excluded from collec-  
 4 tive negotiating units. Each component is wholly contained within a  
 5 Part identified as Parts A through B. The effective date for each  
 6 particular provision contained within such Part is set forth in the last  
 7 section of such Part. Any provision in any section contained within a  
 8 Part, including the effective date of the Part, which makes reference to  
 9 a section "of this act", when used in connection with that particular  
 10 component, shall be deemed to mean and refer to the corresponding  
 11 section of the Part in which it is found. Section two of this act sets  
 12 forth the general severability clause applicable to this act. Section  
 13 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

## 1 PART A

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

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

8 (1) Effective April first, two thousand twenty-one for officers and  
9 employees on the administrative payroll and effective March twenty-  
10 fifth, two thousand twenty-one for officers and employees on the insti-  
11 tutional payroll:

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

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

43	SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR
44			1	2	3	4	5	6		
45	<u>1</u>	<u>26342</u>	<u>27230</u>	<u>28118</u>	<u>29006</u>	<u>29894</u>	<u>30782</u>	<u>31670</u>	<u>32558</u>	<u>888</u>
46	<u>2</u>	<u>27347</u>	<u>28280</u>	<u>29213</u>	<u>30146</u>	<u>31079</u>	<u>32012</u>	<u>32945</u>	<u>33878</u>	<u>933</u>
47	<u>3</u>	<u>28713</u>	<u>29687</u>	<u>30661</u>	<u>31635</u>	<u>32609</u>	<u>33583</u>	<u>34557</u>	<u>35531</u>	<u>974</u>
48	<u>4</u>	<u>29967</u>	<u>30998</u>	<u>32029</u>	<u>33060</u>	<u>34091</u>	<u>35122</u>	<u>36153</u>	<u>37184</u>	<u>1031</u>
49	<u>5</u>	<u>31401</u>	<u>32481</u>	<u>33561</u>	<u>34641</u>	<u>35721</u>	<u>36801</u>	<u>37881</u>	<u>38961</u>	<u>1080</u>
50	<u>6</u>	<u>33157</u>	<u>34280</u>	<u>35403</u>	<u>36526</u>	<u>37649</u>	<u>38772</u>	<u>39895</u>	<u>41018</u>	<u>1123</u>
51	<u>7</u>	<u>34990</u>	<u>36168</u>	<u>37346</u>	<u>38524</u>	<u>39702</u>	<u>40880</u>	<u>42058</u>	<u>43236</u>	<u>1178</u>
52	<u>8</u>	<u>36964</u>	<u>38186</u>	<u>39408</u>	<u>40630</u>	<u>41852</u>	<u>43074</u>	<u>44296</u>	<u>45518</u>	<u>1222</u>

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

18 (3) Effective March thirtieth, two thousand twenty-three for officers  
 19 and employees on the administrative payroll and effective April sixth,  
 20 two thousand twenty-three for officers and employees on the institu-  
 21 tional payroll:

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

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

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

27 (5) Effective March twenty-seventh, two thousand twenty-five for offi-  
 28 cers and employees on the administrative payroll and effective April  
 29 third, two thousand twenty-five for officers and employees on the insti-  
 30 tutional payroll:

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

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

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

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

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

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

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

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

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

24 (4) Such lump sum payment, as provided by this paragraph, shall be in  
25 addition to and not part of the employee's basic annual salary, provided  
26 however that any amount payable by this paragraph shall be included as  
27 compensation for overtime and retirement purposes. Such lump sum  
28 payment, as provided by this paragraph, shall be payable in April of  
29 each fiscal year, or as soon as practicable thereafter, for those eligi-  
30 ble employees who have achieved five or more, or ten or more, or fifteen  
31 or more years of continuous service as defined by paragraph (c) of this  
32 subdivision at a basic annual salary rate equal to or in excess of the  
33 job rate or maximum salary of their salary grade during the period Octo-  
34 ber first through March thirty-first of the previous fiscal year. Such  
35 lump sum payment, as provided by this paragraph, shall be payable in  
36 October of each fiscal year, or as soon as practicable thereafter, for  
37 those eligible employees who have achieved five or more, or ten or  
38 more, or fifteen or more years of continuous service as defined by para-  
39 graph (c) of this subdivision at a basic annual salary rate equal to or  
40 in excess of the job rate or maximum salary of their salary grade during  
41 the period April first through September thirtieth of that same fiscal  
42 year.

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

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

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

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

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

27 (9) Such lump sum payment, as provided by subparagraphs five, six and  
28 seven of this paragraph, shall be payable in April of each fiscal year,  
29 or as soon as practicable thereafter, for those eligible employees who  
30 have achieved the continuous service required for a specific payment  
31 during the period October first through March thirty-first of the previ-  
32 ous fiscal year. Such lump sum payment, as provided by subparagraph  
33 five, six or seven of this paragraph, shall be payable in October of  
34 each fiscal year, or as soon as practicable thereafter, for those eligi-  
35 ble employees who have achieved the continuous service, as defined by  
36 this section, required for a specific payment during the period April  
37 first through September thirtieth of that same fiscal year.

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

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

46 12-d. Notwithstanding any inconsistent provision of the court of  
47 claims act, examine, audit and certify for payment any claim submitted  
48 and approved by the head of a state department or agency, other than a  
49 department or agency specified in subdivision twelve of this section,  
50 for personal property of an employee damaged or destroyed in the course  
51 of the performance of official duties without fault on his or her part  
52 by an incarcerated individual, patient or client of such department or  
53 agency after March thirty-first, two thousand [~~sixteen~~] twenty-one and  
54 prior to April first, two thousand [~~twenty-one~~] twenty-six, provided no  
55 such claim may be certified for payment to an officer or employee who is  
56 in a collective negotiating unit until the director of employee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 11. In order to provide for the officers and employees to whom this  
17 section applies who are not allocated to salary grades, but are paid on  
18 an annual basis, increases and payments pursuant to subdivision eight of  
19 this section in proportion to those provided to persons to whom this  
20 section applies who are allocated to salary grades, the director of the  
21 budget is authorized to add appropriate adjustments and/or payments to  
22 the compensation which such officers and employees are otherwise enti-  
23 tled to receive. The director of the budget shall issue certificates  
24 which shall contain schedules of positions and the salaries and/or  
25 payments thereof for which adjustments and/or payments are made pursuant  
26 to the provisions of this subdivision, and a copy of each such certifi-  
27 cate shall be filed with the state comptroller, the state department of  
28 civil service, the chairman of the senate finance committee and the  
29 chairman of the assembly ways and means committee.

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

33 13. Notwithstanding any other provision of this section, any increase  
34 in compensation for any officer or employee appointed to a lower graded  
35 position from a redeployment list pursuant to subdivision 1 of section  
36 79 of the civil service law who continues to receive his or her former  
37 salary pursuant to such subdivision shall be determined on the basis of  
38 such lower graded position provided, however, that the increases in  
39 salary provided in this section shall not cause such officer's or  
40 employee's salary to exceed the job rate of such lower graded position.

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

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

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

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

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

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

41 4. Notwithstanding the foregoing provisions of this subdivision, act  
42 or any other provision of law, rule or regulation to the contrary, the  
43 contract colleges at Cornell and Alfred universities are authorized to  
44 provide for a procedure for the repayment of salaries withheld from  
45 incumbents of positions subject to this subdivision as described in  
46 subdivision one of this section, pursuant to subdivision 2-a of section  
47 200 of the state finance law in lieu of the lump sum payment authorized  
48 by subparagraph 3 of paragraph (a) of such subdivision, subject to the  
49 approval of the state university trustees. Further, Cornell and Alfred  
50 universities are authorized to provide that the salary of employees  
51 newly hired on or after September 1, 1992 shall not be subject to the  
52 provisions of subdivision 2-a of section 200 of the state finance law.

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



1 and employees on the institutional payroll pursuant to article 14 of the  
2 civil service law a lump sum payment of \$3,000 shall be made to each  
3 employee in such units in full-time annual salaried employment status  
4 who was (i) active on the date of ratification of the agreement between  
5 the state and the employee organization covering such employee and (ii)  
6 in continuous service, as defined by paragraph (c) of subdivision 3 of  
7 section 130 of the civil service law, from that date until March 30,  
8 2023 for officers and employees on the administrative payroll and effec-  
9 tive April 6, 2023 for officers and employees on the institutional  
10 payroll except such payment shall be made to an eligible employee who  
11 retires directly from state service between the dates in (i) and (ii).  
12 Such lump sum shall not be considered salary for retirement purposes and  
13 shall not become part of basic annual salary. Notwithstanding the fore-  
14 going provisions of this subdivision, officers and employees who would  
15 have otherwise been eligible to receive such lump sum payment, but who  
16 were not on the payroll on such date, shall be eligible for said payment  
17 if they return to full-time employment status during the fiscal year  
18 2023 without a break in continuous service. Such payment shall be  
19 prorated for employees in less than full-time annual salaried service.

20 § 10. Location compensation for certain state officers and employees  
21 in collective negotiating units. Notwithstanding any inconsistent  
22 provisions of law, full-time annual salaried officers and employees, as  
23 well as non-annual salaried seasonal officers and employees who shall  
24 receive the compensation provided for pursuant to this section on a  
25 prorated basis, except non-annual salaried officers and employees who  
26 are not seasonal, in the collective negotiating units designated as the  
27 administrative services unit, the institutional services unit, the oper-  
28 ational services unit, or the division of military and naval affairs  
29 unit established pursuant to article 14 of the civil service law, whose  
30 principal place of employment or, in the case of a field employee, whose  
31 official station as determined in accordance with the regulations of the  
32 comptroller is located: (1) in the county of Monroe and who were eligi-  
33 ble to receive location pay on March 31, 1985, shall receive location  
34 pay at the rate of \$200 per year provided they continue to be otherwise  
35 eligible; (2) in the city of New York, or in the county of Rockland,  
36 Westchester, Nassau or Suffolk shall, effective April 1, 2021, continue  
37 to receive a downstate adjustment at the annual rate of \$3,026; or (3)  
38 in the county of Dutchess, Putnam or Orange shall, effective April 1,  
39 2021, continue to receive a mid-Hudson adjustment at the annual rate of  
40 \$1,513. Effective April 1, 2023, in the city of New York, or in the  
41 county of Rockland, Westchester, Nassau or Suffolk such amount shall  
42 increase to an annual rate of \$3,087; and in the county of Dutchess,  
43 Putnam or Orange such amount shall increase to an annual rate of \$1,543.  
44 Effective April 1, 2024, in the city of New York, or in the county of  
45 Rockland, Westchester, Nassau or Suffolk such amount shall increase to  
46 an annual rate of \$3,400; and in the county of Dutchess, Putnam or  
47 Orange such amount shall increase to an annual rate of \$1,650. Such  
48 location payments shall be in addition to and shall not be a part of an  
49 officer's or employee's basic annual salary, and shall not affect or  
50 impair any performance advancements or other rights or benefits to which  
51 an officer or employee may be entitled by law, provided, however, that  
52 location payments shall be included as compensation for purposes of  
53 computation of overtime pay and for retirement purposes. For the sole  
54 purpose of continuing eligibility for location pay in Monroe county, an  
55 officer or employee previously eligible to receive location pay on March  
56 31, 1985 who is on an approved leave of absence or participates in an

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

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

14 2. Notwithstanding any law, rule or regulation to the contrary, any  
15 officer or employee of the Hudson Valley developmental disabilities  
16 services office represented in the collective negotiating units desig-  
17 nated as the administrative services unit, the institutional services  
18 unit or the operational services unit, who is receiving location pay  
19 pursuant to subdivision 2 of section 9 of chapter 315 of the laws of  
20 1995 shall continue to receive such location pay under the conditions  
21 and at the rates specified by such subdivision.

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

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

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

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

8 2. Notwithstanding any inconsistent provisions of law, effective April  
9 1, 2016, where and to the extent that, an agreement between the state  
10 and an employee organization entered into pursuant to article 14 of the  
11 civil service law so provides, in recognition of the general requirement  
12 that certain full-time employees of the state in the collective negoti-  
13 ating unit designated as the institutional services unit, established  
14 pursuant to article 14 of the civil service law, in the employ of the  
15 office of children and family services, assemble for briefing prior to  
16 the commencement of duties, each such employee shall continue to receive  
17 additional compensation in the amount of \$4.80, or one-quarter hour of  
18 their overtime rate, whichever is higher, when they are required to and  
19 actually assemble for such briefing. Such additional compensation shall  
20 be paid in addition to and shall not be a part of the employee's basic  
21 annual salary.

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

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

46 § 16. In recognition of the specific requirements for winter mainte-  
47 nance activity for full-time employees of the state department of trans-  
48 portation in the collective negotiating unit designated as the opera-  
49 tional services unit, established pursuant to article 14 of the civil  
50 service law, and to the extent the terms of a negotiated agreement  
51 between the state and an employee organization representing such unit  
52 entered into pursuant to article 14 of the civil service law so  
53 provides, such employees shall receive payments for winter maintenance  
54 shifts and call-out responses if otherwise eligible and in accordance  
55 with such negotiated agreement.

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

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

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

37 § 19. Notwithstanding any provision of law to the contrary, the appro-  
38 priations contained in this act shall be available to the state for the  
39 payment and publication of grievance and arbitration settlements and  
40 awards pursuant to articles 33 and 34 of the collective negotiating  
41 agreement between the state and the employee organization representing  
42 the collective negotiating units designated as the administrative  
43 services unit, the institutional services unit, the operational services  
44 unit or the division of military and naval affairs unit established  
45 pursuant to article 14 of the civil service law.

46 § 20. During the period April 2, 2021 through April 1, 2026, there  
47 shall be a statewide labor-management committee continued and adminis-  
48 tered pursuant to the terms of the agreement negotiated between the  
49 state and an employee organization representing employees in the collec-  
50 tive negotiating units designated as the administrative services unit,  
51 the institutional services unit, the operational services unit or the  
52 division of military and naval affairs unit established pursuant to  
53 article 14 of the civil service law which shall, after April 2, 2021,  
54 have the responsibility of studying and making recommendations concern-  
55 ing the major issues of productivity, the quality of work life and  
56 implementing the agreements reached.

1 § 21. The salary increases, benefit modifications, and any other  
2 modifications to terms and conditions of employment provided for by this  
3 act for state employees in the collective negotiating units designated  
4 as the administrative services unit, the institutional services unit,  
5 the operational services unit or the division of military and naval  
6 affairs unit established pursuant to article 14 of the civil service law  
7 shall not be implemented until the director of employee relations shall  
8 have delivered to the director of the budget and the comptroller a  
9 letter certifying that there is in effect with respect to such negotiat-  
10 ing units collectively negotiated agreements, ratified by the member-  
11 ship, which provide for such increases and modifications.

12 § 22. Date of entitlement to salary increase. Notwithstanding the  
13 provisions of this act or of any other law, the increase in salary or  
14 compensation of any officer or employee provided by this act shall be  
15 added to the salary or compensation of such officer or employee at the  
16 beginning of that payroll period the first day of which is nearest to  
17 the effective date of such increases as provided in this act, or at the  
18 beginning of the earlier of two payroll periods the first days of which  
19 are nearest but equally near to the effective dates of such increases as  
20 provided in this act, provided, however, that for the purposes of deter-  
21 mining the salary of such officer or employee upon reclassification,  
22 reallocation, appointment, promotion, transfer, demotion, reinstatement  
23 or other change of status, such salary increase shall be deemed to be  
24 effective on the date thereof as prescribed in this act, and the payment  
25 thereof pursuant to this section on a date prior thereto, instead of on  
26 such effective date, shall not operate to confer any additional salary  
27 rights or benefits on such officer or employee. Payment of such salary  
28 increase may be deferred pursuant to section twenty-three of this act.

29 § 23. Notwithstanding the provisions of any other section of this act  
30 or any other provision of law to the contrary, pending payment pursuant  
31 to this act of the basic annual salaries of incumbents of positions  
32 subject to this act, such incumbents shall receive, as partial compen-  
33 sation for services rendered, the rate of salary and other compensation  
34 otherwise payable in their respective positions. An incumbent holding a  
35 position subject to this act at any time during the period from April 1,  
36 2021, until the time when basic annual salaries and other compensation  
37 due are first paid pursuant to this act for such services in excess of  
38 the salary and other compensation actually received therefor, shall be  
39 entitled to a lump sum payment for the difference between the salary and  
40 other compensation to which such incumbent is entitled for such services  
41 and the salary and other compensation actually received pursuant to the  
42 terms of an agreement between the state and the employee organization  
43 representing the employees covered by this act.

44 § 24. The comptroller is authorized to pay any amounts required during  
45 the fiscal year commencing April 1, 2022 by the foregoing provisions of  
46 this act for any state department or agency from any appropriation or  
47 other funds available to such state department or agency for personal  
48 service or for other related employee benefits during such fiscal year.  
49 To the extent that such appropriations in any fund are insufficient to  
50 accomplish the purposes herein set forth, the director of the budget is  
51 authorized to allocate to the various departments and agencies, from any  
52 appropriations available in any fund, the amounts necessary to pay such  
53 amounts.

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

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

5 § 26. Notwithstanding any provision of the state finance law or any  
6 other provision of law to the contrary, the sum of \$220,000,000 is here-  
7 by appropriated in the general fund/state purposes account (10050) in  
8 miscellaneous-all state departments and agencies solely for  
9 apportionment/transfer by the director of the budget for use by any  
10 state department or agency in any fund for the fiscal year beginning  
11 April 1, 2022 to supplement appropriations for personal service, other  
12 than personal service and fringe benefits, and to carry out the  
13 provisions of this act. No money shall be available for expenditure from  
14 this appropriation until a certificate of approval has been issued by  
15 the director of the budget and a copy of such certificate or any amend-  
16 ment thereto has been filed with the state comptroller, the chairman of  
17 the senate finance committee and the chairman of the assembly ways and  
18 means committee. The monies hereby appropriated are available for  
19 payment of any liabilities or obligations incurred prior to or during  
20 the state fiscal year commencing April 1, 2021 through March 31, 2023.  
21 For this purpose, these appropriations shall remain in full force and  
22 effect for the payment of liabilities incurred on or before March 31,  
23 2023.

24 § 27. The several amounts as hereinafter set forth, or so much thereof  
25 as may be necessary, are hereby appropriated from the fund so designated  
26 for use by any state department or agency for the fiscal year beginning  
27 April 1, 2022 to supplement appropriations from each respective fund  
28 available for personal service, other than personal service and fringe  
29 benefits, and to carry out the provisions of this act. The monies hereby  
30 appropriated are available for payment of any liabilities or obligations  
31 incurred prior to or during the state fiscal year commencing April 1,  
32 2021 through March 31, 2023. No money shall be available for expenditure  
33 from this appropriation until a certificate of approval has been issued  
34 by the director of the budget and a copy of such certificate or any  
35 amendment thereto has been filed with the state comptroller, the chair  
36 of the senate finance committee and the chair of the assembly ways and  
37 means committee.

38 ALL STATE DEPARTMENTS AND AGENCIES  
39 SPECIAL PAY BILLS

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

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

1	Tool allowance (operational services unit) .....	112,321
2	Tool insurance (operational services unit) .....	38,079
3	Uniform allowance (institutional services	
4	unit) .....	605,312
5	Work related clothing (institutional	
6	services unit) .....	112,616
7	Work related clothing (administrative	
8	services unit) .....	62,500
9	Contract Administration .....	400,000

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

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 REPEAL NOTE.--Subparagraphs 1, 2, 3, 4 and 5 of paragraph a of subdivi-  
 sion 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 insti-  
 tutional 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.

14

PART B

15  
16  
17

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

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

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

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

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

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

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

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

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

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

51	<u>Effective April first, two thousand twenty-one:</u>	
52	<u>Hiring Rate</u>	<u>Job Rate</u>
53	<u>\$133,007</u>	<u>\$181,510</u>



1 Effective April first, two thousand twenty-two:

2 <u>Hiring Rate</u>	<u>Job Rate</u>
3 <u>\$135,667</u>	<u>\$185,140</u>

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

7 Effective April first, two thousand twenty-one:

8 <u>Hiring Rate</u>	<u>Job Rate</u>
9 <u>\$103,431</u>	<u>\$130,707</u>

10 Effective April first, two thousand twenty-two:

11 <u>Hiring Rate</u>	<u>Job Rate</u>
12 <u>\$105,500</u>	<u>\$133,321</u>

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

16 (b) Officers and employees to whom the provisions of this subdivision  
17 apply may receive lump sum merit awards in accordance with guidelines  
18 issued by the director of the budget within the appropriations made  
19 available therefor. Additionally, effective April first, nineteen  
20 hundred eighty-eight, and each April first thereafter, such officers and  
21 employees to whom the provisions of this subdivision apply whose basic  
22 annual salary equals or exceeds the job rate of the salary grade of  
23 their position who on their anniversary date have five or more years of  
24 continuous service as defined by paragraph (c) of subdivision three of  
25 this section at a basic annual salary rate equal to or in excess of the  
26 job rate or maximum salary of their salary grade and whose basic annual  
27 salary is less than eight hundred seventy-five dollars during fiscal  
28 year two thousand seven-two thousand eight, one thousand dollars during  
29 fiscal year two thousand eight-two thousand nine, and one thousand one  
30 hundred twenty-five dollars during fiscal year two thousand nine-two  
31 thousand ten in excess of the job rate of the salary grade of their  
32 position shall on such anniversary date have their basic annual salary  
33 as otherwise effective increased by a longevity payment in the amount of  
34 eight hundred seventy-five dollars during fiscal year two thousand  
35 seven-two thousand eight, one thousand dollars during fiscal year two  
36 thousand eight-two thousand nine, and one thousand one hundred twenty-  
37 five dollars during fiscal year two thousand nine-two thousand ten,  
38 except that such officers and employees who on their anniversary date  
39 have ten or more years of continuous service as defined by paragraph (c)  
40 of subdivision three of this section at a basic annual salary rate equal  
41 to or in excess of the job rate or maximum salary of the salary grade of  
42 their position and whose basic annual salary is less than one thousand  
43 seven hundred fifty dollars during fiscal year two thousand seven-two  
44 thousand eight, two thousand dollars during fiscal year two thousand  
45 eight-two thousand nine, and two thousand two hundred fifty dollars  
46 during fiscal year two thousand nine-two thousand ten in excess of the  
47 job rate of the salary grade of their position shall on such anniversary  
48 date receive a longevity payment increasing their basic annual salary to  
49 that of the job rate of the salary grade of their position increased by  
50 one thousand seven hundred fifty dollars during fiscal year two thousand  
51 seven-two thousand eight, two thousand dollars during fiscal year two  
52 thousand eight-two thousand nine, and two thousand two hundred fifty  
53 dollars during fiscal year two thousand nine-two thousand ten. Such  
54 increases shall be effective at the beginning of the pay period follow-  
55 ing the anniversary date upon which the required service is attained.  
56 Effective April first, two thousand ten, however, such longevity

1 payments shall be made in the amount of one thousand two hundred fifty  
2 dollars to officers and employees as defined herein who on their anni-  
3 versary date have five or more years of continuous service as defined by  
4 paragraph (c) of subdivision three of this section at a basic annual  
5 salary rate equal to or in excess of the job rate or maximum salary of  
6 their salary grade, and in the amount of two thousand five hundred  
7 dollars to officers and employees as defined herein who on their anni-  
8 versary date have ten or more years of continuous service as defined by  
9 paragraph (c) of subdivision three of this section at a basic annual  
10 salary rate equal to or in excess of the job rate or maximum salary of  
11 their salary grade.

12 Effective April first, two thousand nineteen, however, such longevity  
13 payments shall be made in the amount of one thousand five hundred  
14 dollars to officers and employees as defined herein who on their anni-  
15 versary date have five or more years of continuous service as defined by  
16 paragraph (c) of subdivision three of this section at a basic annual  
17 salary rate equal to or in excess of the job rate or maximum salary of  
18 their salary grade, and in the amount of three thousand dollars to offi-  
19 cers and employees as defined herein who on their anniversary date have  
20 ten or more years of continuous service as defined by paragraph (c) of  
21 subdivision three of this section at a basic annual salary rate equal to  
22 or in excess of the job rate or maximum salary of their salary grade.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 2. (a) Effective April 1, 2021, the basic annual salary of incumbents  
44 of positions in the institutions under the management and control of  
45 Cornell and Alfred universities as representatives of the board of trus-  
46 tees of the state university that, in the opinion of the director of  
47 employee relations, would be designated managerial or confidential were  
48 they subject to article 14 of the civil service law may be increased  
49 pursuant to plans approved by the state university trustees. Such  
50 increase in basic annual salary rates shall not exceed in the aggregate  
51 two percent of the total basic annual salary rates in effect March 31,  
52 2021.

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

1 employee relations, would be designated managerial or confidential were  
2 they subject to article 14 of the civil service law may be increased  
3 pursuant to plans approved by the state university trustees. Such  
4 increase in basic annual salary rates shall not exceed in the aggregate  
5 two percent of the total basic annual salary rates in effect March 31,  
6 2022.

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

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

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

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

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

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

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

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

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

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

45 § 8. Location compensation for certain state officers and employees.

46 1. This section shall apply to all full-time annual salaried state  
47 officers and employees and non-annual salaried seasonal state officers  
48 and employees except the following:

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

53 (b) officers and employees whose salaries are prescribed by or deter-  
54 mined in accordance with section 40, 60, 169, 215 or 216 of the execu-  
55 tive law;

1 (c) incumbents of allocated or unallocated positions in the profes-  
2 sional service in the state university and in institutions under the  
3 management and control of Cornell and Alfred universities as represen-  
4 tatives of the board of trustees of the state university;

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

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

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

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

18 (c) in the county of Dutchess, Orange, or Putnam shall continue to  
19 receive a mid-Hudson adjustment at the rate of \$1,513 effective October  
20 1, 2008.

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

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

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

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

1 § 10. Overtime meal allowance. Notwithstanding any other provision of  
2 law to the contrary, individuals in positions in the classified service  
3 of the state of New York designated managerial or confidential pursuant  
4 to article 14 of the civil service law, shall continue to receive,  
5 effective April 1, 2011, an overtime meal allowance in the amount of  
6 \$5.50 pursuant to eligibility guidelines developed by the director of  
7 employee relations.

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

16 § 12. Notwithstanding any provision of law to the contrary, the appro-  
17 priations contained in this act shall be available to the state for the  
18 payment of grievance settlements and awards pursuant to executive order  
19 42, dated October 14, 1970, and title 9, part 560, official compilation  
20 of codes, rules and regulations of the state of New York.

21 § 13. Date of entitlement to salary increase. Notwithstanding the  
22 provisions of this act or of any other law, the increase in salary or  
23 compensation of any officer or employee provided by this act shall be  
24 added to the salary or compensation of such officer or employee at the  
25 beginning of that payroll period the first day of which is nearest to  
26 the effective date of such increases as provided in this act, or at the  
27 beginning of the earlier of two payroll periods the first days of which  
28 are nearest but equally near to the effective dates of such increases as  
29 provided in this act, provided, however, that for the purposes of deter-  
30 mining the salary of such officer or employee upon reclassification,  
31 reallocation, appointment, promotion, transfer, demotion, reinstatement  
32 or other change of status, such salary increase shall be deemed to be  
33 effective on the date thereof as prescribed in this act, and the payment  
34 thereof pursuant to this section on a date prior thereto, instead of on  
35 such effective date, shall not operate to confer any additional salary  
36 rights or benefits on such officer or employee. Payment of such salary  
37 increase may be deferred pursuant to section fourteen of this act.

38 § 14. Deferred payment of salary increase. Notwithstanding the  
39 provisions of any other section of this act or any other provision of  
40 law to the contrary, pending payment pursuant to this act of the basic  
41 annual salaries of incumbents of positions subject to this act, such  
42 incumbents shall receive, as partial compensation for services rendered,  
43 the rate of salary and other compensation otherwise payable in their  
44 respective positions. An incumbent holding a position subject to this  
45 act at any time during the period from April 1, 2021, until the time  
46 when basic annual salaries and other compensation due are first paid  
47 pursuant to this act for such services in excess of the salary and other  
48 compensation actually received therefor, shall be entitled to a lump sum  
49 payment for the difference between the salary and other compensation to  
50 which such incumbent is entitled for such services and the salary and  
51 other compensation actually received.

52 § 15. 1. Notwithstanding the provisions of any other section of this  
53 act or any other provision of law to the contrary, any increase in  
54 compensation provided: (a) in this act, or (b) as a result of a  
55 promotion, appointment, or advancement to a position in a higher salary  
56 grade, or (c) pursuant to paragraph (c) of subdivision 6 of section 131



1 of the civil service law, or (d) pursuant to paragraph (b) of subdivi-  
2 sion 8 of section 130 of the civil service law, or (e) pursuant to para-  
3 graph (a) of subdivision 3 of section 13 of chapter 732 of the laws of  
4 1988, as amended, may be withheld in whole or in part from any officer  
5 or employee when, in the opinion of the director of the budget, such  
6 withholding is necessary to reflect the job performance of such officer  
7 or employee, or to maintain appropriate salary relationships among offi-  
8 cers or employees of the state, or to reduce state expenditures to  
9 acceptable levels or when, in the opinion of the director of the budget,  
10 such increase is not warranted or is not appropriate. As a result of an  
11 exercise of the director's authority under this act to withhold any  
12 increase, such salary schedules as defined in section one of this act  
13 shall be implemented and/or modified by the director of the budget, as  
14 necessary, consistent with the provision or withholding of such  
15 increases pursuant to this section.

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

20 § 16. Use of appropriations. Notwithstanding any provision of the  
21 state finance law or any other provision of law to the contrary, the  
22 state comptroller is authorized to pay any amounts required during the  
23 fiscal year commencing April 1, 2022 by the provisions of this act for  
24 any state department or agency from any appropriation or other funds  
25 available to such state department or agency for personal service or for  
26 other related employee benefits during such fiscal year. To the extent  
27 that such appropriations are insufficient in any fund to accomplish the  
28 purposes herein set forth, the director of the budget is authorized to  
29 allocate to the various departments and agencies, from any appropri-  
30 ations available in any fund, the amounts necessary to pay such amounts.  
31 The aforementioned appropriations shall be available for payment of any  
32 liabilities or obligations incurred prior to April 1, 2022 in addition  
33 to current liabilities.

34 § 17. Notwithstanding any provision of the state finance law or any  
35 other provision of law to the contrary, the sum of \$130,000,000 is here-  
36 by appropriated in the general fund/state purposes account (10050) in  
37 miscellaneous-all state departments and agencies solely for  
38 apportionment/transfer by the director of the budget for use by any  
39 state department or agency in any fund for the state fiscal year April  
40 1, 2022 through March 31, 2023 to supplement appropriations for personal  
41 service, other than personal service and fringe benefits, and to carry  
42 out the provisions of this act. No money shall be available for expendi-  
43 ture from this appropriation until a certificate of approval has been  
44 issued by the director of the budget and a copy of such certificate or  
45 any amendment thereto has been filed with the state comptroller, the  
46 chair of the senate finance committee and the chair of the assembly ways  
47 and means committee. The monies hereby appropriated are available for  
48 payment of any liabilities or obligations incurred prior to or during  
49 the state fiscal year April 1, 2022 through March 31, 2023. For this  
50 purpose, the monies appropriated shall remain in full force and effect  
51 for the payment of liabilities incurred on or before March 31, 2023.

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

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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.

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

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

STATE OF NEW YORK

190

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to defining the terms "retiree" and "beneficiary" within the freedom of information law

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

1 Section 1. Section 86 of the public officers law is amended by adding  
2 two new subdivisions 10 and 11 to read as follows:

3 10. "Retiree" means a former officer or employee of an agency, the  
4 state legislature, or the judiciary who was a member of a public retire-  
5 ment system of the state, as such term is defined in subdivision twen-  
6 ty-three of section five hundred one of the retirement and social secu-  
7 rity law and is receiving, or entitled to receive, a benefit from such  
8 public retirement system.

9 11. "Beneficiary" means a person designated by a member or retiree of  
10 a public retirement system of the state to receive retirement or death  
11 benefits following the death of the member or retiree.

12 § 2. Subdivision 7 of section 89 of the public officers law, as added  
13 by chapter 783 of the laws of 1983, is amended to read as follows:

14 7. Nothing in this article shall require the disclosure of the home  
15 address of an officer or employee, former officer or employee, or of a  
16 retiree of a public [~~employees~~] retirement system of the state, as such  
17 term is defined in subdivision twenty-three of section five hundred one  
18 of the retirement and social security law; nor shall anything in this  
19 article require the disclosure of the name or home address of a benefi-  
20 ciary of a public [~~employees~~] retirement system of the state, as such  
21 term is defined in subdivision twenty-three of section five hundred one  
22 of the retirement and social security law, or of an applicant for

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

LBD01690-01-1

1 appointment to public employment; provided however, that nothing in this  
2 subdivision shall limit or abridge the right of an employee organiza-  
3 tion, certified or recognized for any collective negotiating unit of an  
4 employer pursuant to article fourteen of the civil service law, to  
5 obtain the name or home address of any officer, employee or retiree of  
6 such employer, if such name or home address is otherwise available under  
7 this article.

8 § 3. This act shall take effect immediately.

STATE OF NEW YORK

9056

IN SENATE

May 6, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the retirement and social security law, in relation to increasing certain special accidental death benefits

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

1 Section 1. Subdivision c of section 208-f of the general municipal  
2 law, as amended by chapter 327 of the laws of 2021, is amended to read  
3 as follows:

4 c. Commencing July first, two thousand [~~twenty-one~~] twenty-two the  
5 special accidental death benefit paid to a widow or widower or the  
6 deceased member's children under the age of eighteen or, if a student,  
7 under the age of twenty-three, if the widow or widower has died, shall  
8 be escalated by adding thereto an additional percentage of the salary of  
9 the deceased member (as increased pursuant to subdivision b of this  
10 section) in accordance with the following schedule:

11	calendar year of death	
12	of the deceased member	per centum
13	1977 or prior	[ <del>267.1%</del> ] <u>278.2%</u>
14	1978	[ <del>256.5%</del> ] <u>267.1%</u>
15	1979	[ <del>246.1%</del> ] <u>256.5%</u>
16	1980	[ <del>236%</del> ] <u>246.1%</u>
17	1981	[ <del>226.2%</del> ] <u>236%</u>
18	1982	[ <del>216.7%</del> ] <u>226.2%</u>
19	1983	[ <del>207.5%</del> ] <u>216.7%</u>
20	1984	[ <del>198.5%</del> ] <u>207.5%</u>
21	1985	[ <del>189.8%</del> ] <u>198.5%</u>
22	1986	[ <del>181.4%</del> ] <u>189.8%</u>
23	1987	[ <del>173.2%</del> ] <u>181.4%</u>
24	1988	[ <del>165.2%</del> ] <u>173.2%</u>
25	1989	[ <del>157.5%</del> ] <u>165.2%</u>
26	1990	[ <del>150.0%</del> ] <u>157.5%</u>
27	1991	[ <del>142.7%</del> ] <u>150.0%</u>

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

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1	1992	[ <del>135.7%</del> ]	<u>142.7%</u>
2	1993	[ <del>128.8%</del> ]	<u>135.7%</u>
3	1994	[ <del>122.1%</del> ]	<u>128.8%</u>
4	1995	[ <del>115.7%</del> ]	<u>122.1%</u>
5	1996	[ <del>109.4%</del> ]	<u>115.7%</u>
6	1997	[ <del>103.3%</del> ]	<u>109.4%</u>
7	1998	[ <del>97.4%</del> ]	<u>103.3%</u>
8	1999	[ <del>91.6%</del> ]	<u>97.4%</u>
9	2000	[ <del>86.0%</del> ]	<u>91.6%</u>
10	2001	[ <del>80.6%</del> ]	<u>86.0%</u>
11	2002	[ <del>75.4%</del> ]	<u>80.6%</u>
12	2003	[ <del>70.2%</del> ]	<u>75.4%</u>
13	2004	[ <del>65.3%</del> ]	<u>70.2%</u>
14	2005	[ <del>60.5%</del> ]	<u>65.3%</u>
15	2006	[ <del>55.8%</del> ]	<u>60.5%</u>
16	2007	[ <del>51.3%</del> ]	<u>55.8%</u>
17	2008	[ <del>46.9%</del> ]	<u>51.3%</u>
18	2009	[ <del>42.6%</del> ]	<u>46.9%</u>
19	2010	[ <del>38.4%</del> ]	<u>42.6%</u>
20	2011	[ <del>34.4%</del> ]	<u>38.4%</u>
21	2012	[ <del>30.5%</del> ]	<u>34.4%</u>
22	2013	[ <del>26.7%</del> ]	<u>30.5%</u>
23	2014	[ <del>23.0%</del> ]	<u>26.7%</u>
24	2015	[ <del>19.4%</del> ]	<u>23.0%</u>
25	2016	[ <del>15.9%</del> ]	<u>19.4%</u>
26	2017	[ <del>12.6%</del> ]	<u>15.9%</u>
27	2018	[ <del>9.3%</del> ]	<u>12.6%</u>
28	2019	[ <del>6.1%</del> ]	<u>9.3%</u>
29	2020	[ <del>3.0%</del> ]	<u>6.1%</u>
30	2021	[ <del>0.0%</del> ]	<u>3.0%</u>
31	<b><u>2022</u></b>		<b><u>0.0%</u></b>

32 § 2. Subdivision c of section 361-a of the retirement and social secu-  
 33 rity law , as amended by chapter 327 of the laws of 2021, is amended to  
 34 read as follows:

35 c. Commencing July first, two thousand [~~twenty-one~~] **twenty-two** the  
 36 special accidental death benefit paid to a widow or widower or the  
 37 deceased member's children under the age of eighteen or, if a student,  
 38 under the age of twenty-three, if the widow or widower has died, shall  
 39 be escalated by adding thereto an additional percentage of the salary of  
 40 the deceased member, as increased pursuant to subdivision b of this  
 41 section, in accordance with the following schedule:

42	calendar year of death		
43	of the deceased member	per centum	
44	1977 or prior	[ <del>267.1%</del> ]	<u>278.2%</u>
45	1978	[ <del>256.5%</del> ]	<u>267.1%</u>
46	1979	[ <del>246.1%</del> ]	<u>256.5%</u>
47	1980	[ <del>236%</del> ]	<u>246.1%</u>
48	1981	[ <del>226.2%</del> ]	<u>236%</u>
49	1982	[ <del>216.7%</del> ]	<u>226.2%</u>
50	1983	[ <del>207.5%</del> ]	<u>216.7%</u>
51	1984	[ <del>198.5%</del> ]	<u>207.5%</u>
52	1985	[ <del>189.8%</del> ]	<u>198.5%</u>
53	1986	[ <del>181.4%</del> ]	<u>189.8%</u>
54	1987	[ <del>173.2%</del> ]	<u>181.4%</u>
55	1988	[ <del>165.2%</del> ]	<u>173.2%</u>
56	1989	[ <del>157.5%</del> ]	<u>165.2%</u>

1	1990	[ <del>150.0%</del> ]	<u>157.5%</u>
2	1991	[ <del>142.7%</del> ]	<u>150.0%</u>
3	1992	[ <del>135.7%</del> ]	<u>142.7%</u>
4	1993	[ <del>128.8%</del> ]	<u>135.7%</u>
5	1994	[ <del>122.1%</del> ]	<u>128.8%</u>
6	1995	[ <del>115.7%</del> ]	<u>122.1%</u>
7	1996	[ <del>109.4%</del> ]	<u>115.7%</u>
8	1997	[ <del>103.3%</del> ]	<u>109.4%</u>
9	1998	[ <del>97.4%</del> ]	<u>103.3%</u>
10	1999	[ <del>91.6%</del> ]	<u>97.4%</u>
11	2000	[ <del>86.0%</del> ]	<u>91.6%</u>
12	2001	[ <del>80.6%</del> ]	<u>86.0%</u>
13	2002	[ <del>75.4%</del> ]	<u>80.6%</u>
14	2003	[ <del>70.2%</del> ]	<u>75.4%</u>
15	2004	[ <del>65.3%</del> ]	<u>70.2%</u>
16	2005	[ <del>60.5%</del> ]	<u>65.3%</u>
17	2006	[ <del>55.8%</del> ]	<u>60.5%</u>
18	2007	[ <del>51.3%</del> ]	<u>55.8%</u>
19	2008	[ <del>46.9%</del> ]	<u>51.3%</u>
20	2009	[ <del>42.6%</del> ]	<u>46.9%</u>
21	2010	[ <del>38.4%</del> ]	<u>42.6%</u>
22	2011	[ <del>34.4%</del> ]	<u>38.4%</u>
23	2012	[ <del>30.5%</del> ]	<u>34.4%</u>
24	2013	[ <del>26.7%</del> ]	<u>30.5%</u>
25	2014	[ <del>23.0%</del> ]	<u>26.7%</u>
26	2015	[ <del>19.4%</del> ]	<u>23.0%</u>
27	2016	[ <del>15.9%</del> ]	<u>19.4%</u>
28	2017	[ <del>12.6%</del> ]	<u>15.9%</u>
29	2018	[ <del>9.3%</del> ]	<u>12.6%</u>
30	2019	[ <del>6.1%</del> ]	<u>9.3%</u>
31	2020	[ <del>3.0%</del> ]	<u>6.1%</u>
32	2021	[ <del>0.0%</del> ]	<u>3.0%</u>
33	<b><u>2022</u></b>		<b><u>0.0%</u></b>

34 § 3. This act shall take effect July 1, 2022.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend both the General Municipal Law and the Retirement and Social Security Law to increase the salary used in the computation of the special accidental death benefit by 3% in cases where the date of death was before 2022.

Insofar as this bill would amend the Retirement and Social Security Law, it is estimated that there would be an additional annual cost of approximately \$673,000 above the approximately \$15.3 million current annual cost of this benefit. This cost would be shared by the State of New York and all participating employers of the New York State and Local Police and Fire Retirement System.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 20, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-124, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend General Municipal Law (GML) Section 208-f(c) to increase certain Special Accidental Death Benefits (SADB) for surviving spouses, dependent children, and certain other individuals (Eligible Beneficiaries) of former uniformed employees of the City of New York and the New York City Health and Hospitals Corporation, and for certain former employees of the Triborough Bridge and Tunnel Authority, who were members of certain New York City Retirement Systems and Pension Funds (NYCRS) and died as a natural and proximate result of an accident sustained in the performance of duty.

Effective Date: July 1, 2022.

BACKGROUND: Under the GML, the basic SADB is defined as:

The salary of the deceased member at date of death (or, in certain instances, a greater salary based on a higher rank or other status) (Final Salary), less the following payments to an Eligible Beneficiary:

- \* Any NYCRS death benefit as adjusted by any Supplementation or Cost-of-Living Adjustment (COLA),

- \* Any Social Security death benefit, and

- \* Any Workers' Compensation benefit.

The SADB is paid to the deceased member's surviving spouse, if alive. If the spouse is no longer alive, the SADB is paid to the deceased member's children until age eighteen or until age twenty-three if a student. If neither a spouse nor a dependent child is alive, the SADB may be paid to certain other individuals, if eligible, in accordance with certain laws related to the World Trade Center attack.

The GML also provides that the SADB is subject to escalation based on the calendar year in which the former member died. The SADB has traditionally been increased by a cumulative, incremental percentage of Final Salary based on the calendar year of the member's death.

IMPACT ON BENEFITS: With respect to the NYCRS, the proposed legislation would impact the SADB payable to certain survivors of members of the:

- \* New York City Employees' Retirement System (NYCERS),

- \* New York City Police Pension Fund (POLICE), or

- \* New York City Fire Pension Fund (FIRE),

and who were employed by one of the following employers in certain positions:

- \* New York City Police Department - Uniformed Position,

- \* New York City Fire Department - Uniformed Position,

- \* New York City Department of Sanitation - Uniformed Position,

- \* New York City Housing Authority - Uniformed Position,

- \* New York City Transit Authority - Uniformed Position,

- \* New York City Department of Correction - Uniformed Position,



\* New York City - Uniformed Position as Emergency Medical Technician (EMT),

\* New York City Health and Hospitals Corporation - Uniformed Position as EMT, or

\* Triborough Bridge and Tunnel Authority - Bridge and Tunnel Position. Under the proposed legislation, effective July 1, 2022, an additional 3.0% of Final Salary would be applied to the SADB paid due to deaths occurring in each calendar year on and after 1977. The SADB for deaths occurring prior to 1977 would receive the same escalation as deaths occurring in 1977.

FINANCIAL IMPACT - PRESENT VALUES: Based on the Eligible Beneficiaries of deceased NYCERS members who would be impacted by this proposed legislation and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately \$56.5 million.

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: As a result of the past four decades' practice of providing 3.0% COLAs on the SADB each year, and the likelihood that COLAs will continue to be granted in the future, the Actuary assumes that the SADB benefit will continue to increase 3.0% per year in the future when determining NYCERS employer contributions. Therefore, the costs of this proposed legislation have already been accounted for and will not result in a further increase in employer contributions. There will, however, be a decrease in employer contributions if the proposed legislation is not enacted.

In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNYS), new Unfunded Accrued Liability to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. However, since changes in the SADB COLA paid are not known in advance, the decrease in expected pension payments due to this legislation not passing would be treated as an actuarial gain. These actuarial gains would be amortized over a 15-year period (14 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This would result in a decrease in NYCERS annual employer contributions of approximately \$6.7 million each year.

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that the changes in the PVFB and annual employer contributions if this proposed legislation fails to pass, would be reflected for the first time in the Preliminary June 30, 2023 actuarial valuations of NYCERS, POLICE, and FIRE. In accordance with the OYLM used to determine employer contributions, the decrease in employer contributions would first be reflected in Fiscal Year 2025.

CENSUS DATA: The estimates presented herein are based upon the census data for such Eligible Beneficiaries provided by NYCERS.

Retirement System	Number of Deceased Members with Eligible Survivors	Annual Accidental Death Benefit Prior to Proposed July 1, 2022 Increase (\$ Millions)
NYCERS	73	\$ 7.1
POLICE	472	57.6
FIRE	<u>616</u>	<u>81.5</u>
Total	1,161	\$146.2

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the PVFB and annual employer contributions presented herein have been calculated based on

the actuarial assumptions and methods in effect for the Preliminary June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS, POLICE, and FIRE.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS, POLICE, and FIRE and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of NYCERS, POLICE, and FIRE and other New York City agencies to implement the proposed legislation.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-40 dated May 3, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System, the New York City Police Pension Fund, and New York City Fire Pension Fund. This estimate is intended for use only during the 2022 Legislative Session.

STATE OF NEW YORK

9294--A

IN SENATE

May 12, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law and the workers' compensation law, in relation to extending the deadline for submission of a notice that a member of a retirement system participated in World Trade Center rescue, recovery or cleanup operations

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

1 Section 1. Paragraph (a) of subdivision 36 of section 2 of the retire-  
2 ment and social security law, as amended by chapter 425 of the laws of  
3 2021, is amended to read as follows:

4 (a) "Qualifying World Trade Center condition" shall mean a qualifying  
5 condition or impairment of health resulting in disability to a member  
6 who participated in World Trade Center rescue, recovery or cleanup oper-  
7 ations for a qualifying period, as those terms are defined below,  
8 provided the following conditions have been met: (i) such member, or  
9 eligible beneficiary in the case of the member's death, must have either  
10 filed a written and sworn statement with the member's retirement system  
11 on a form provided by such system, or as allowed by the member's retire-  
12 ment system, electronically submitted a statement on a form provided by  
13 such system through a secure online portal maintained by the member's  
14 retirement system that has duly validated the member's identity, indi-  
15 cating the underlying dates and locations of employment not later than  
16 September eleventh, two thousand [~~twenty-two~~ twenty-six, and (ii) such  
17 member has either successfully passed a physical examination for entry  
18 into public service, or authorized release of all relevant medical  
19 records, if the member did not undergo a physical examination for entry  
20 into public service; and (iii) there is no evidence of the qualifying  
21 condition or impairment of health that formed the basis for the disabili-  
22 ty in such physical examination for entry into public service or in the  
23 relevant medical records, prior to September eleventh, two thousand one  
24 except for such member, or eligible beneficiary in the case of the

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

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1 member's death, of a local retirement system of a city with a population  
2 of one million or more that is covered by section 13-551 of the adminis-  
3 trative code of the city of New York, or by section twenty-five hundred  
4 seventy-five of the education law and for such member who separated from  
5 service with vested rights, or eligible beneficiary of such member who  
6 separated from service with vested rights in the case of the member's  
7 death, of a local retirement system of a city with a population of one  
8 million or more who are covered by sections 13-168, 13-252.1 or 13-353.1  
9 of the administrative code of the city of New York or sections five  
10 hundred seven-c, six hundred five-b, six hundred five-c, or six hundred  
11 seven-b of this chapter. The deadline for filing a written and sworn  
12 statement required by subparagraph (i) of this paragraph shall be  
13 September eleventh, two thousand [~~twenty-two~~] twenty-six for such  
14 member, or eligible beneficiary in the case of the member's death, of a  
15 local retirement system of a city with a population of one million or  
16 more that is covered by section 13-551 of the administrative code of the  
17 city of New York, or by section twenty-five hundred seventy-five of the  
18 education law and for such member who separated from service with vested  
19 rights, or eligible beneficiary of such member who separated from  
20 service with vested rights in the case of the member's death, of a local  
21 retirement system of a city with a population of one million or more who  
22 are covered by sections 13-168, 13-252.1 or 13-353.1 of the administra-  
23 tive code of the city of New York and sections five hundred seven-c, six  
24 hundred five-b, six hundred five-c, or six hundred seven-b of this chap-  
25 ter. Every retirement system shall keep a copy of every written and  
26 sworn statement that is presented for filing not later than September  
27 eleventh, two thousand [~~twenty-two~~] twenty-six, including those that are  
28 rejected for filing as untimely.

29 § 2. Section 162 of the workers' compensation law, as amended by chap-  
30 ter 266 of the laws of 2018, is amended to read as follows:

31 § 162. Registration of participation in World Trade Center rescue,  
32 recovery and clean-up operations. In order for the claim of a partic-  
33 ipant in World Trade Center rescue, recovery and clean-up operations to  
34 come within the application of this article, such participant must file  
35 a written and sworn statement with the board on a form promulgated by  
36 the chair indicating the dates and locations of such participation and  
37 the name of such participant's employer during the period of partic-  
38 ipation. Such statement must be filed not later than September eleventh,  
39 two thousand [~~twenty-two~~] twenty-six. The board shall transmit a copy  
40 of such statement to the employer or carrier named therein. The filing  
41 of such a statement shall not be considered the filing of a claim for  
42 benefits under this chapter.

43 § 3. Section 168 of the workers' compensation law is amended by adding  
44 a new subdivision 5 to read as follows:

45 5. A claim by a participant in the World Trade Center rescue, recovery  
46 or cleanup operations whose disablement occurred between September elev-  
47 enth, two thousand seventeen, and September eleventh, two thousand twen-  
48 ty-one, shall not be disallowed as barred by section eighteen or section  
49 twenty-eight of this chapter if such claim is filed on or before Septem-  
50 ber eleventh, two thousand twenty-six. Any such claim by a participant  
51 in the World Trade Center rescue, recovery or cleanup operations whose  
52 disablement occurred between September eleventh, two thousand seventeen,  
53 and September eleventh, two thousand twenty-one, and was disallowed by  
54 section eighteen or twenty-eight of this chapter shall be reconsidered  
55 by the board.

1 § 4. Notwithstanding any other provision to the contrary, none of the  
2 provisions of this act shall be subject to section 25 of the retirement  
3 and social security law.

4 § 5. This act shall take effect immediately and shall be deemed to  
5 have been in full force and effect on and after September 11, 2001;  
6 provided, however, that the amendments to sections 162 and 168 of the  
7 workers' compensation law made by sections two and three of this act,  
8 respectively, shall apply to all open and closed claims coming within  
9 the purview of the workers' compensation board.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend subdivision 36 of Section 2 of the Retirement and Social Security Law to extend the deadline to September 11, 2026 for filing notice of having participated in the World Trade Center rescue, recover or cleanup operations during the qualifying period. Members who become disabled or die because of a "Qualifying World Trade Center Condition" are assumed to have become disabled or died because of an accidental or on-the-job disability or death. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after September 11, 2001.

The annual cost to the employers of members of the New York State Teachers' Retirement System is estimated to be negligible if this bill is enacted.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-39 dated May 11, 2022 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend chapter 93 of the Laws of 2005 and chapter 445 of the Laws of 2006, which provided that, for members of public retirement systems who contract any form of disease related to exposure to any elements connected to the World Trade Center (WTC) attack of September 11, 2001, resulting in disability or death, said disability or death will be presumed to be a result of an accident and sustained in the performance of duty.

Insofar as this bill affects the New York State and Local Employees' Retirement System (NYSLEERS) and the New York State and Local Police and Fire Retirement System (NYSLPFRS), if enacted during the 2022 legislative session, this legislation would extend the deadline for filing notice regarding the eligibility for benefits for certain members who participated in the World Trade Center rescue, recovery or cleanup operation to September 11, 2026.

By extending the deadline for filing notice, certain current and future retirement benefits would be reclassified as a WTC accidental disability. The cost of the revised benefit will depend upon the applicant's age, service, salary, plan, and benefit type otherwise payable.

Benefit without None Ordinary Performance of Service

enactment:		Disability	Duty Disability	
Cost for WTC	10 times	5.5 times	3 times	2 times
benefit:	salary	salary	salary	salary

This bill would also lead to more deaths being classified as "accidental". For each death classified as accidental due to this bill, the cost would depend on the age, service, salary, plan, and status of the member at time of death. It is estimated that the cost for each NYSLERS and NYSLPFRS participant affected would average approximately 4.5 times final average salary and 13 times final average salary, respectively.

The provisions of this act will not be subject to Section 25 of the Retirement and Social Security Law. Therefore, all costs would be shared by the State of New York and the participating employers in the NYSLERS and NYSLPFRS.

The exact number of current and future participants who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 2, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-130, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: With respect to the New York City Retirement Systems and Pension Funds (NYCRS), the proposed legislation would amend Retirement and Social Security Law (RSSL) Section 2, to extend, for certain members who participated in the Rescue, Recovery, or Cleanup operations related to the World Trade Center (WTC) attack on September 11, 2001 (Covered Groups), the deadline for filing a Notice of Participation under the WTC Disability Law.

The NYCRS include: New York City Employees' Retirement System (NYCERS), New York City Teachers' Retirement System (NYCTRS), New York City Board of Education Retirement System (BERS), New York City Police Pension Fund (POLICE), and New York City Fire Pension Fund (FIRE).

The proposed legislation would also amend provisions of the Workers' Compensation Law (WCL). However, because such provisions do not directly impact the NYCRS, the financial impact of amendments to the WCL are not reflected in this fiscal note.

None of the provisions of the proposed legislation would be subject to Retirement and Social Security Law Section 25, and therefore, State appropriation would not be required.

Effective Date : Upon enactment and retroactive to September 11, 2001.

**DEADLINES UNDER EXISTING PROVISIONS:** Under current law, as enacted by Chapter 266 of the Laws of 2018, the deadline to file a Notice of Participation for Covered Groups is September 11, 2022.

**DEADLINES UNDER PROPOSED LEGISLATION:** With respect to the NYCERS, the proposed legislation would extend the deadline for filing a Notice of Participation under the WTC Disability Law for Covered Groups from September 11, 2022 to September 11, 2026.

**ADDITIONAL EMPLOYER CONTRIBUTIONS:** The increase in employer contributions resulting from the proposed legislation would depend on the number of additional members who timely file the required form, meet the requirements of the WTC Disability Law, and ultimately benefit from such Law.

Most members eligible for the benefits provided under the WTC Disability Law have already filed the required form to register for participation. Therefore, for the purpose of this Fiscal Note it has been assumed that only a minimal number of NYCERS members would benefit from the proposed legislation and that the increase in employer contributions would likely be de minimis.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The additional employer contributions presented herein have been calculated based on the same actuarial assumptions and methods in effect for the Preliminary June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of each respective NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

- \* The initial, additional administrative costs of NYCERS and other New York City agencies to implement the proposed legislation.

- \* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

- \* Any costs associated with amendments to the WCL.

**STATEMENT OF ACTUARIAL OPINION:** I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

**FISCAL NOTE IDENTIFICATION:** This Fiscal Note 2022-48 dated May 10, 2022, was prepared by the Interim Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2022 Legislative Session.

STATE OF NEW YORK

6022--B

2021-2022 Regular Sessions

IN SENATE

March 29, 2021

Introduced by Sens. HOYLMAN, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to discharged LGBT veterans

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

1 Section 1. Paragraph a of subdivision 29 of section 2 of the retirement and social security law is amended to read as follows:

2  
3 a. (1) Has been honorably discharged or released therefrom under  
4 honorable circumstances, or (2) has a qualifying condition, as defined  
5 in section three hundred fifty of the executive law, and has received a  
6 discharge other than bad conduct or dishonorable from such service, or  
7 (3) is a discharged LGBT veteran, as defined in section three hundred  
8 fifty of the executive law, and has received a discharge other than bad  
9 conduct or dishonorable from such service, and

10 § 2. Paragraph d of subdivision 29-a of section 2 of the retirement  
11 and social security law, as amended by chapter 528 of the laws of 1964,  
12 is amended to read as follows:

13 d. Credit under this section shall not accrue to a person who is  
14 released from active duty under conditions other than honorable, unless  
15 such person has a qualifying condition, as defined in section three  
16 hundred fifty of the executive law, and has received a discharge other  
17 than bad conduct or dishonorable from such service, or is a discharged  
18 LGBT veteran, as defined in section three hundred fifty of the executive

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

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1 law, and has received a discharge other than bad conduct or dishonorable  
2 from such service.

3 § 3. Subdivision 31 of section 2 of the retirement and social security  
4 law, as amended by chapter 616 of the laws of 1995, is amended to read  
5 as follows:

6 31. "Service in world war II." (1) Military service during the period  
7 commencing July first, nineteen hundred forty, and terminating December  
8 thirty-first, nineteen hundred forty-six, as a member of the armed forc-  
9 es of the United States, or service by one who was employed by the War  
10 Shipping Administration or Office of Defense Transportation or their  
11 agents as a merchant seaman documented by the United States Coast Guard  
12 or Department of Commerce, or as a civil servant employed by the United  
13 States Army Transport Service (later redesignated as the United States  
14 Army Transportation Corps, Water Division) or the Naval Transportation  
15 Service; and who served satisfactorily as a crew member during the peri-  
16 od of armed conflict, December seventh, nineteen hundred forty-one, to  
17 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
18 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
19 terms are defined under federal law (46 USCA 10301 & 10501) and further  
20 to include "near foreign" voyages between the United States and Canada,  
21 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
22 going service or foreign waters and who has received a Certificate of  
23 Release or Discharge from Active Duty and a discharge certificate, or an  
24 Honorable Service Certificate/Report of Casualty, from the Department of  
25 Defense, or service by one who served as a United States civilian  
26 employed by the American Field Service and served overseas under United  
27 States Armies and United States Army Groups in world war II during the  
28 period of armed conflict, December seventh, nineteen hundred forty-one  
29 through May eighth, nineteen hundred forty-five, and who (i) was  
30 discharged or released therefrom under honorable conditions, or (ii) has  
31 a qualifying condition, as defined in section three hundred fifty of the  
32 executive law, and has received a discharge other than bad conduct or  
33 dishonorable from such service, or (iii) is a discharged LGBT veteran,  
34 as defined in section three hundred fifty of the executive law, and has  
35 received a discharge other than bad conduct or dishonorable from such  
36 service, or service by one who served as a United States civilian Flight  
37 Crew and Aviation Ground Support Employee of Pan American World Airways  
38 or one of its subsidiaries or its affiliates and served overseas as a  
39 result of Pan American's contract with Air Transport Command or Naval  
40 Air Transport Service during the period of armed conflict, December  
41 fourteenth, nineteen hundred forty-one through August fourteenth, nine-  
42 teen hundred forty-five, and who (iv) was discharged or released there-  
43 from under honorable conditions, or (v) has a qualifying condition, as  
44 defined in section three hundred fifty of the executive law, and has  
45 received a discharge other than bad conduct or dishonorable from such  
46 service, or (vi) is a discharged LGBT veteran, as defined in section  
47 three hundred fifty of the executive law, and has received a discharge  
48 other than bad conduct or dishonorable from such service, or of any  
49 person who:

50 a. (i) Has been honorably discharged or released therefrom under  
51 honorable circumstances, or (ii) has a qualifying condition, as defined  
52 in section three hundred fifty of the executive law, and has received a  
53 discharge other than bad conduct or dishonorable from such service, or  
54 (iii) is a discharged LGBT veteran, as defined in section three hundred  
55 fifty of the executive law, and has received a discharge other than bad  
56 conduct or dishonorable from such service, and

1 b. Was a resident of this state at the time of his entrance into such  
2 armed forces, or, if not a resident of this state at that time, was then  
3 or thereafter became an employee of a participating employer created by  
4 and deriving its powers from an agreement between this state and any  
5 other state and was a resident of such other state at the time of his  
6 entrance into such armed forces, and

7 c. Was either a member of the retirement system and an employee of the  
8 state or of a participating employer at the time he entered such armed  
9 forces or became such employee and such member while in such armed forc-  
10 es on or before July first, nineteen hundred forty-eight, or became such  
11 employee while in such armed forces and subsequently became such member  
12 on or before July first, nineteen hundred forty-eight, or was an employ-  
13 ee of an employer which was not a participating employer at the time he  
14 entered such armed forces but which elected to become a participating  
15 employer while he was absent on military duty, or was an employee of the  
16 state or of a participating employer or was a teacher as defined in  
17 article eleven of the education law at the time of his entrance into the  
18 armed forces and became a member of the retirement system subsequent to  
19 separation or discharge from the armed services, and

20 d. Returned to the employment of the state or a participating employ-  
21 er, within one year following discharge or release or completion of  
22 advanced education provided under the servicemen's readjustment act of  
23 nineteen hundred forty-four, certified on a world war II military  
24 service certificate, and allowable as provided in section forty-one of  
25 this article. Such service shall not include any periods during which  
26 civil compensation was received by the member under the provisions of  
27 section two hundred forty-two of the military law, or section six of  
28 chapter six hundred eight of the laws of nineteen hundred fifty-two; or

29 (2) Military service, not in excess of three years and not otherwise  
30 creditable under paragraph one hereof, rendered on active duty in the  
31 armed forces of the United States during the period commencing July  
32 first, nineteen hundred forty, and terminating December thirty-first,  
33 nineteen hundred forty-six, or service by one who was employed by the  
34 War Shipping Administration or Office of Defense Transportation or their  
35 agents as a merchant seaman documented by the United States Coast Guard  
36 or Department of Commerce, or as a civil servant employed by the United  
37 States Army Transport Service (later redesignated as the United States  
38 Army Transportation Corps, Water Division) or the Naval Transportation  
39 Service; and who served satisfactorily as a crew member during the peri-  
40 od of armed conflict, December seventh, nineteen hundred forty-one, to  
41 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
42 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
43 terms are defined under federal law (46 USCA 10301 & 10501) and further  
44 to include "near foreign" voyages between the United States and Canada,  
45 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
46 going service or foreign waters and who has received a Certificate of  
47 Release or Discharge from Active Duty and a discharge certificate, or an  
48 Honorable Service Certificate/Report of Casualty, from the Department of  
49 Defense, or service by one who served as a United States civilian  
50 employed by the American Field Service and served overseas under United  
51 States Armies and United States Army Groups in world war II during the  
52 period of armed conflict, December seventh, nineteen hundred forty-one  
53 through May eighth, nineteen hundred forty-five, and who (i) was  
54 discharged or released therefrom under honorable conditions, or (ii) has  
55 a qualifying condition, as defined in section three hundred fifty of the  
56 executive law, and has received a discharge other than bad conduct or

1 dishonorable from such service, or (iii) is a discharged LGBT veteran,  
 2 as defined in section three hundred fifty of the executive law, and has  
 3 received a discharge other than bad conduct or dishonorable from such  
 4 service, or service by one who served as a United States civilian Flight  
 5 Crew and Aviation Ground Support Employee of Pan American World Airways  
 6 or one of its subsidiaries or its affiliates and served overseas as a  
 7 result of Pan American's contract with Air Transport Command or Naval  
 8 Air Transport Service during the period of armed conflict, December  
 9 fourteenth, nineteen hundred forty-one through August fourteenth, nine-  
 10 teen hundred forty-five, and who (iv) was discharged or released there-  
 11 from under honorable conditions, or (v) has a qualifying condition, as  
 12 defined in section three hundred fifty of the executive law, and has  
 13 received a discharge other than bad conduct or dishonorable from such  
 14 service, or (vi) is a discharged LGBT veteran, as defined in section  
 15 three hundred fifty of the executive law, and has received a discharge  
 16 other than bad conduct or dishonorable from such service, by a person  
 17 who was a resident of New York state at the time of entry into such  
 18 service and at the time of being discharged therefrom (vii) under honor-  
 19 able circumstances, or (viii) with a qualifying condition, as defined in  
 20 section three hundred fifty of the executive law, and received a  
 21 discharge other than bad conduct or dishonorable from such service, or  
 22 (ix) as a discharged LGBT veteran, as defined in section three hundred  
 23 fifty of the executive law, and received a discharge other than bad  
 24 conduct or dishonorable from such service, or, if not a resident of this  
 25 state at such times was then or thereafter became an employee of a  
 26 participating employer created by and deriving its powers from an agree-  
 27 ment between this state and any other state, and was a resident of such  
 28 other state at the time of entry into and discharge from such service,  
 29 and who makes the payments required by subdivision k of section forty-  
 30 one of this article.

31 However, no military service shall be creditable under this paragraph  
 32 two in the case of a member under an existing plan permitting retirement  
 33 upon twenty years of creditable service who is receiving a federal  
 34 pension (other than for disability) based upon a minimum of twenty years  
 35 of full time active military service in the armed forces of the United  
 36 States nor shall any military service be creditable in the case of a  
 37 member under any other plan who is receiving a military pension (other  
 38 than for disability) for military service in the armed forces of the  
 39 United States.

40 § 4. Subparagraph (c) of paragraph 8 of subdivision a of section 80-a  
 41 of the retirement and social security law, as added by chapter 219 of  
 42 the laws of 1968, is amended to read as follows:

43 (c) In the case of a senator or assemblyman, service, not in excess of  
 44 three years and not otherwise creditable under subparagraph (b) of this  
 45 paragraph [~~eight~~], rendered on active duty in the armed forces of the  
 46 United States during the period commencing July first, nineteen hundred  
 47 forty, and terminating December thirty-first, nineteen hundred forty-  
 48 six, by a person who was a resident of the state at the time of entry  
 49 into service and at the time of being discharged therefrom (i) under  
 50 honorable circumstances, or (ii) has a qualifying condition, as defined  
 51 in section three hundred fifty of the executive law, and was a resident  
 52 of the state at the time of entry into service and at the time of  
 53 receiving a discharge other than bad conduct or dishonorable from such  
 54 service, or (iii) is a discharged LGBT veteran, as defined in section  
 55 three hundred fifty of the executive law, and was a resident of the

1 state at the time of entry into service and at the time of receiving a  
 2 discharge other than bad conduct or dishonorable from such service.

3 § 5. Subdivision (i) of section 89-a of the retirement and social  
 4 security law, as added by chapter 996 of the laws of 1966 and such  
 5 section as renumbered by chapter 1059 of the laws of 1968, is amended to  
 6 read as follows:

7 (i) In computing the twenty-five years of total service of a member  
 8 pursuant to this section full credit shall be given and full allowance  
 9 shall be made for service of such member in time of war after world war  
 10 I as defined in section two of this chapter, provided such member at the  
 11 time of his entrance into the military service of the United States was  
 12 then a resident of this state and in the service of a sheriffs depart-  
 13 ment and (1) had been honorably discharged or released under honorable  
 14 circumstances from such military service, or (2) has a qualifying condi-  
 15 tion, as defined in section three hundred fifty of the executive law,  
 16 and received a discharge other than bad conduct or dishonorable from  
 17 such service, or (3) is a discharged LGBT veteran, as defined in section  
 18 three hundred fifty of the executive law, and received a discharge other  
 19 than bad conduct or dishonorable from such service, and such member  
 20 returned to the service of a sheriffs department within the time limited  
 21 by section two of this chapter.

22 § 6. Paragraph a of subdivision 29 of section 302 of the retirement  
 23 and social security law, as added by chapter 1000 of the laws of 1966,  
 24 is amended to read as follows:

25 a. (1) Has been honorably discharged or released therefrom under  
 26 honorable circumstances, or (2) has a qualifying condition, as defined  
 27 in section three hundred fifty of the executive law, and has received a  
 28 discharge other than bad conduct or dishonorable from such service, or  
 29 (3) is a discharged LGBT veteran, as defined in section three hundred  
 30 fifty of the executive law, and has received a discharge other than bad  
 31 conduct or dishonorable from such service, and

32 § 7. Paragraph d of subdivision 29-a of section 302 of the retirement  
 33 and social security law, as added by chapter 1000 of the laws of 1966,  
 34 is amended to read as follows:

35 d. Credit under this section shall not accrue to a person who is  
 36 released from active duty under conditions other than honorable, unless  
 37 such person has a qualifying condition, as defined in section three  
 38 hundred fifty of the executive law, and has received a discharge other  
 39 than bad conduct or dishonorable from such service, or is a discharged  
 40 LGBT veteran, as defined in section three hundred fifty of the executive  
 41 law, and has received a discharge other than bad conduct or dishonorable  
 42 from such service.

43 § 8. Subdivision 31 of section 302 of the retirement and social secu-  
 44 rity law, as amended by chapter 616 of the laws of 1995, subparagraph c  
 45 of paragraph 1 as amended by chapter 476 of the laws of 2018, is amended  
 46 to read as follows:

47 31. "Service in world war II." (1) Military service during the period  
 48 commencing July first, nineteen hundred forty, and terminating December  
 49 thirty-first, nineteen hundred forty-six, as a member of the armed forc-  
 50 es of the United States, or service by one who was employed by the War  
 51 Shipping Administration or Office of Defense Transportation or their  
 52 agents as a merchant seaman documented by the United States Coast Guard  
 53 or Department of Commerce, or as a civil servant employed by the United  
 54 States Army Transport Service (later redesignated as the United States  
 55 Army Transportation Corps, Water Division) or the Naval Transportation  
 56 Service; and who served satisfactorily as a crew member during the peri-

1 od of armed conflict, December seventh, nineteen hundred forty-one, to  
2 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
3 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
4 terms are defined under federal law (46 USCA 10301 & 10501) and further  
5 to include "near foreign" voyages between the United States and Canada,  
6 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
7 going service or foreign waters and who has received a Certificate of  
8 Release or Discharge from Active Duty and a discharge certificate, or an  
9 Honorable Service Certificate/Report of Casualty, from the Department of  
10 Defense, or service by one who served as a United States civilian  
11 employed by the American Field Service and served overseas under United  
12 States Armies and United States Army Groups in world war II during the  
13 period of armed conflict, December seventh, nineteen hundred forty-one  
14 through May eighth, nineteen hundred forty-five, and who (i) was  
15 discharged or released therefrom under honorable conditions, or (ii) has  
16 a qualifying condition, as defined in section three hundred fifty of the  
17 executive law, and has received a discharge other than bad conduct or  
18 dishonorable from such service, or (iii) is a discharged LGBT veteran,  
19 as defined in section three hundred fifty of the executive law, and has  
20 received a discharge other than bad conduct or dishonorable from such  
21 service, or service by one who served as a United States civilian Flight  
22 Crew and Aviation Ground Support Employee of Pan American World Airways  
23 or one of its subsidiaries or its affiliates and served overseas as a  
24 result of Pan American's contract with Air Transport Command or Naval  
25 Air Transport Service during the period of armed conflict, December  
26 fourteenth, nineteen hundred forty-one through August fourteenth, nine-  
27 teen hundred forty-five, and who (iv) was discharged or released there-  
28 from under honorable conditions, or (v) has a qualifying condition, as  
29 defined in section three hundred fifty of the executive law, and has  
30 received a discharge other than bad conduct or dishonorable from such  
31 service, or (vi) is a discharged LGBT veteran, as defined in section  
32 three hundred fifty of the executive law, and has received a discharge  
33 other than bad conduct or dishonorable from such service, or of any  
34 person who:

35 a. (i) Has been honorably discharged or released therefrom under  
36 honorable circumstances, or (ii) has a qualifying condition, as defined  
37 in section three hundred fifty of the executive law, and has received a  
38 discharge other than bad conduct or dishonorable from such service, or  
39 (iii) is a discharged LGBT veteran, as defined in section three hundred  
40 fifty of the executive law, and has received a discharge other than bad  
41 conduct or dishonorable from such service, and

42 b. Was a resident of this state at the time of his entrance into such  
43 armed forces, or, if not a resident of this state at that time, was then  
44 or thereafter became an employee of a participating employer created by  
45 and deriving its powers from an agreement between this state and any  
46 other state and was a resident of such other state at the time of his  
47 entrance into such armed forces, and

48 c. Was either a member of the New York state and local employees'  
49 retirement system and an employee of the state or of a participating  
50 employer of such system at the time he or she entered such armed forces  
51 or became such employee and such member while in such armed forces on or  
52 before July first, nineteen hundred forty-eight, or became such employee  
53 while in such armed forces and subsequently became such member on or  
54 before July first, nineteen hundred forty-eight, or was an employee of  
55 an employer which was not a participating employer at the time he or she  
56 entered such armed forces but which elected to become a participating

1 employer while he or she was absent on military duty, or was an employee  
2 of the state or of a participating employer or was a teacher as defined  
3 in article eleven of the education law at the time of his or her  
4 entrance into the armed forces and became a member of the police and  
5 fire retirement system subsequent to separation or discharge from the  
6 armed services, and

7 d. Returned to the employment of the state or a participating employ-  
8 er, within one year following discharge or release or completion of  
9 advanced education provided under the servicemen's readjustment act of  
10 nineteen hundred forty-four, certified on a world war II military  
11 service certificate, and allowable as provided in section forty-one of  
12 this article. Such service shall not include any periods during which  
13 civil compensation was received by the member under the provisions of  
14 section two hundred forty-two of the military law, or section six of  
15 chapter six hundred eight of the laws of nineteen hundred fifty-two; or

16 (2) Military service, not in excess of three years and not otherwise  
17 creditable under paragraph one hereof, rendered on active duty in the  
18 armed forces of the United States during the period commencing July  
19 first, nineteen hundred forty, and terminating December thirty-first,  
20 nineteen hundred forty-six, or service by one who was employed by the  
21 War Shipping Administration or Office of Defense Transportation or their  
22 agents as a merchant seaman documented by the United States Coast Guard  
23 or Department of Commerce, or as a civil servant employed by the United  
24 States Army Transport Service (later redesignated as the United States  
25 Army Transportation Corps, Water Division) or the Naval Transportation  
26 Service; and who served satisfactorily as a crew member during the peri-  
27 od of armed conflict, December seventh, nineteen hundred forty-one, to  
28 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
29 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
30 terms are defined under federal law (46 USCA 10301 & 10501) and further  
31 to include "near foreign" voyages between the United States and Canada,  
32 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
33 going service or foreign waters and who has received a Certificate of  
34 Release or Discharge from Active Duty and a discharge certificate, or an  
35 Honorable Service Certificate/Report of Casualty, from the Department of  
36 Defense, or service by one who served as a United States civilian  
37 employed by the American Field Service and served overseas under United  
38 States Armies and United States Army Groups in world war II during the  
39 period of armed conflict, December seventh, nineteen hundred forty-one  
40 through May eighth, nineteen hundred forty-five, and who (i) was  
41 discharged or released therefrom under honorable conditions, or (ii) has  
42 a qualifying condition, as defined in section three hundred fifty of the  
43 executive law, and has received a discharge other than bad conduct or  
44 dishonorable from such service, or (iii) is a discharged LGBT veteran,  
45 as defined in section three hundred fifty of the executive law, and has  
46 received a discharge other than bad conduct or dishonorable from such  
47 service, or service by one who served as a United States civilian Flight  
48 Crew and Aviation Ground Support Employee of Pan American World Airways  
49 or one of its subsidiaries or its affiliates and served overseas as a  
50 result of Pan American's contract with Air Transport Command or Naval  
51 Air Transport Service during the period of armed conflict, December  
52 fourteenth, nineteen hundred forty-one through August fourteenth, nine-  
53 teen hundred forty-five, and who (iv) was discharged or released there-  
54 from under honorable conditions, or (v) has a qualifying condition, as  
55 defined in section three hundred fifty of the executive law, and has  
56 received a discharge other than bad conduct or dishonorable from such

1 service, or (vi) is a discharged LGBT veteran, as defined in section  
 2 three hundred fifty of the executive law, and has received a discharge  
 3 other than bad conduct or dishonorable from such service, or by a person  
 4 who was a resident of New York state at the time of entry into such  
 5 service and at the time of being discharged therefrom (vii) under honor-  
 6 able circumstances, or (viii) with a qualifying condition, as defined in  
 7 section three hundred fifty of the executive law, and received a  
 8 discharge other than bad conduct or dishonorable from such service, or  
 9 (ix) as a discharged LGBT veteran, as defined in section three hundred  
 10 fifty of the executive law, and received a discharge other than bad  
 11 conduct or dishonorable from such service, or, if not a resident of this  
 12 state at such times was then or thereafter became an employee of a  
 13 participating employer created by and deriving its powers from an agree-  
 14 ment between this state and any other state, and was a resident of such  
 15 other state at the time of entry into and discharge from such service,  
 16 and who makes the payments required by subdivision k of section three  
 17 hundred forty-one of this chapter.

18 However, no military service shall be creditable under this paragraph  
 19 two in the case of a member under an existing plan permitting retirement  
 20 upon twenty years of creditable service who is receiving a federal  
 21 pension (other than for disability) based upon a minimum of twenty years  
 22 of military service in the armed forces of the United States nor shall  
 23 such military service be creditable in the case of a member under any  
 24 other plan who is receiving a military pension (other than for disabili-  
 25 ty) for such service.

26 § 9. Subdivision 1 of section 1000 of the retirement and social secu-  
 27 rity law, as amended by chapter 41 of the laws of 2016, is amended to  
 28 read as follows:

29 1. A member, upon application to such retirement system, may obtain a  
 30 total not to exceed three years of service credit for up to three years  
 31 of military duty, as defined in section two hundred forty-three of the  
 32 military law, if the member (a) was honorably discharged from the mili-  
 33 tary, or (b) has a qualifying condition, as defined in section three  
 34 hundred fifty of the executive law, and has received a discharge other  
 35 than bad conduct or dishonorable from such service, or (c) is a  
 36 discharged LGBT veteran, as defined in section three hundred fifty of  
 37 the executive law, and has received a discharge other than bad conduct  
 38 or dishonorable from such service.

39 § 10. Notwithstanding any other provision of law to the contrary, none  
 40 of the provisions of this act shall be subject to section 25 of the  
 41 retirement and social security law.

42 § 11. This act shall take effect one year after it shall have become a  
 43 law. Effective immediately, the addition, amendment and/or repeal of any  
 44 rule or regulation necessary for the implementation of this act on its  
 45 effective date are authorized to be made and completed on or before such  
 46 effective date.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would extend the benefits of Section 1000 of Retirement and Social Security Law to any member of a public retirement system in New York State who has a qualifying condition or is a discharged LGBT veteran as defined in section 350 of the Executive Law. The total service credit granted for any military service shall not exceed three years. Members must have at least five years of credited service (not including military service). Tier 1-5 members would be required to make a payment of three percent of their most recent compensation per year of additional service credit granted by this bill. Tier 6 members would be

required to make a payment of six percent of their most recent compensation per year of additional service credit.

If this bill is enacted during the 2022 legislative session, insofar as this proposal affects the New York State and Local Employees' Retirement System (NYSLERS), it is estimated that the past service cost will average approximately 18% (15% for Tier 6) of an affected members' compensation for each year of additional service credit that is purchased.

If this bill is enacted during the 2022 legislative session, insofar as this proposal affects the New York State and Local Police and Fire Retirement System (NYSLPFRS), it is estimated that the past service cost will average approximately 22% (19% for Tier 6) of an affected members' compensation for each year of additional service that is purchased.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined.

Costs arising in the NYSLERS would be shared by the State of New York and the participating employers in the NYSLERS.

Costs arising in the NYSLPFRS would be shared by the State of New York and the participating employers in the NYSLPFRS.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 21, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-57, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

As it applies to members of the New York State Teachers' Retirement System, Section 9 of this bill would amend Subdivision 1 of Section 1000 of the Retirement and Social Security Law to allow a member who has a qualifying condition as defined in Section 350 of the Executive Law (post-traumatic stress disorder or traumatic brain injury) or a member who is a discharged LGBT veteran as defined in Section 240 of the Executive Law to purchase up to three years of military service credit provided such member did not receive a dishonorable discharge and was not discharged for bad conduct. To obtain such credit, a member must make payments as required by Section 1000 of the Retirement and Social Security Law. Tier 1, 2, 3, 4 and 5 members are required to pay three percent of salary earned during the twelve months of credited service immediately preceding the year in which a claim is made for each year of military service. Tier 6 members are required to pay six percent of



salary earned during the twelve months of credited service immediately preceding the year in which a claim is made for each year of military service.

It is not possible to determine the number of eligible current and future members, or the number of years of military service credit each such member may purchase under this bill. Therefore, it is not possible to estimate the annual increase in the employers' cost for this bill. Whatever increase in liability that arises for service credited under this bill above that paid by the member would be included in the cost that would be shared by employers through the employer contribution rate.

It is estimated that the cost, expressed as a percentage of a member's salary for each year of service credit a member purchases under this bill is as follows:

Cost per year of Service Purchased  
(as a percentage of the member's salary)

Tier(s)	1-4	5	6
Cost	12.5%	10.9%	8.9%
Member Contribution offset	3.0%	3.0%	6.0%
Net cost to participating employers	9.5%	7.9%	2.9%

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-27 dated April 6, 2022 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation, as it relates to members of the New York City Retirement Systems and Pension Funds (NYCRS), amends Retirement and Social Security Law (RSSL) Section 1000 to permit the purchase of qualifying, other than honorably discharged, military service for NYCRS service credit.

Effective Date: One year after enactment.

BACKGROUND: Members of NYCRS who were other than honorably discharged from military service due to (1) post-traumatic stress disorder; (2) traumatic brain injury; (3) an experience of military sexual trauma; (4) sexual orientation, gender identity, or gender expression; or (5) conduct or acts relating to sexual orientation, gender identity, or gender expression that was prohibited by the military at the time of discharge, are generally ineligible to purchase such military service for purposes of NYCRS benefits.

IMPACT ON BENEFITS: Under the proposed legislation, if enacted, military service with qualifying discharges described above, would become eligible for purchase pursuant to RSSL Section 1000. RSSL Section 1000 allows for up to three years of military service to be purchased as NYCRS service credit.

Prior military service with discharges due to bad conduct or dishonorable discharge would remain ineligible to purchase for purposes of NYCERS benefits.

**IMPACT ON PAYABILITY:** In addition to the impact on benefits above, once purchased, eligible military service would count towards meeting the minimum eligibility requirements for NYCERS pension benefits.

**ADDITIONAL MEMBER CONTRIBUTIONS:** Eligible NYCERS members are required to make contributions, equal to 3% of compensation earned during the year of credited service immediately preceding the date of application, for all military service being purchased.

**FINANCIAL IMPACT - OVERVIEW:** There is no data available to estimate the number of members who were previously ineligible to purchase qualifying military service and potentially benefit from this proposed legislation. Therefore, the estimated financial impact has been calculated on a per event basis equal to the increase in the Present Value of Future Benefits (PVFB) for an average NYCERS member who has purchased military service under Chapter 41 of the Laws of 2016. In determining the increase in the PVFB, it has been assumed that 2.4 years were purchased.

**FINANCIAL IMPACT - PRESENT VALUES:** Based on the census data and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the PVFB by approximately \$49,500, on average, for each military buyback of 2.4 years purchased. The average cost to the member for each buyback was approximately \$8,400. This results in a net increase in the Present Value of future employer contributions of approximately \$41,100 for each military buyback of 2.4 years purchased.

With respect to an individual member, the additional cost of this proposed legislation could vary greatly depending on the member's length of service, age, and salary history.

**FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS:** Enactment of this proposed legislation would increase employer contributions, where such amount would depend on the number of members affected as well as other member characteristics as described above.

As there is no data currently available to estimate the number of members who might become eligible and purchase military service due to the proposed legislation, the financial impact would be recognized at the time of the event. Consequently, changes in employer contributions have been estimated assuming that the increase in the PVFB will be financed over a time period used under the current amortization period for actuarial losses under the Entry Age Normal cost method. Using this approach, the additional PVFB would be amortized over a closed 15-year period (14 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments.

Based on the Actuary's actuarial assumptions and methods in effect described herein, the enactment of this proposed legislation is estimated to increase annual employer contributions by approximately \$4,900 for each military buyback of 2.4 years purchased. With respect to the timing, increases in employer contributions would depend upon when members elect to purchase the service. Generally, increased employer contributions will first occur the second fiscal year following processing and payment of the buyback application.

The proposed legislation, pursuant to section 10 of the bill, is not subject to RSSL section 25. Therefore, costs associated with the enactment of this bill would not be subject to State reimbursement notwithstanding the increased cost of prior service associated with the bill.

CENSUS DATA: The estimates presented herein are based on the census data of members who have purchased military service under Chapter 41 of the Laws of 2016 as of June 30, 2021.

As of June 30, 2021, there were 3,461 NYCERS members who have purchased prior military service under Chapter 41. Those members had an average age of approximately 48.7 years, average service of approximately 16.8 years before buyback, and an average salary of approximately \$107,600. The average amount of service credit purchased was approximately 2.4 years.

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2020 (Lag) actuarial valuations used to determine the Final Fiscal Year 2022 employer contributions of each respective NYCERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of each respective NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of NYCERS and other New York City agencies to implement the proposed legislation.

The impact of this proposed legislation on Other Postemployment Benefit \* (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-18 dated April 7, 2022 was prepared by the Interim Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2022 Legislative Session.

# STATE OF NEW YORK

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3722--A

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the county of Orleans to offer an optional twenty year retirement plan to Kevin Colonna, a deputy sheriff employed by such county

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
 2 Kevin Colonna, a member of the optional twenty-five year retirement plan  
 3 for certain sheriffs, undersheriffs, deputy sheriffs and correction  
 4 officers pursuant to section 89-1 of the retirement and social security  
 5 law, who was employed by the Orleans county sheriff's office as of  
 6 February 10, 2013, and who through no fault of his own, failed to file a  
 7 timely application to participate in the special twenty year retirement  
 8 plan contained in section 553 of the retirement and social security law  
 9 resulting in the crediting of his service with the county of Orleans in  
 10 the retirement plan contained in section 89-1 of such law, shall be  
 11 given full credit in the section 553 twenty year retirement plan for  
 12 such service upon the election of the county of Orleans to assume the  
 13 additional cost of such service and his election to participate in such  
 14 plan. The county of Orleans may so elect within one year of the effec-  
 15 tive date of this act, by filing with the state comptroller a resolution  
 16 of its local legislative body together with certification that such  
 17 member did not bar himself from participation in such retirement plan as  
 18 a result of his own negligence.

19 § 2. Such deputy sheriff may elect to be covered by the provisions of  
 20 section 553 of the retirement and social security law and shall be enti-

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

LBD08017-03-2

1 tled to the full rights and benefits associated with coverage under such  
 2 section by filing a request to that effect with the state comptroller  
 3 within eighteen months of the effective date of this act.

4 § 3. All employer past service costs associated with the implementa-  
 5 tion of this act shall be borne by Orleans county, and may be amortized  
 6 over a period of five years.

7 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Kevin Colonna, a current member of the New York State and Local Employees' Retirement System employed as a deputy sheriff by Orleans County and covered under the 25-year retirement plan of section 89-I of the Retirement and Social Security Law (RSSL), to elect to be covered under the 20-year plan of section 553 of the RSSL.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$4,900 in the annual contributions of Orleans County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Kevin Colonna change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$117,000 which will be borne by Orleans County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Orleans County elects to amortize this cost over a 5-year period, the cost for the first year including interest would be \$26,200.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein. This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 14, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-68, prepared by the Actuary for the New York State and Local Retirement System.

# STATE OF NEW YORK

3723--A

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the county of Orleans to offer an optional twenty year retirement plan to Ryan Flaherty, a deputy sheriff employed by such county

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
 2 Ryan Flaherty, a member of the optional twenty-five year retirement plan  
 3 for certain sheriffs, undersheriffs, deputy sheriffs and correction  
 4 officers pursuant to section 89-1 of the retirement and social security  
 5 law, who was employed by the Orleans county sheriff's office as of Janu-  
 6 ary 23, 2005, and who through no fault of his own, failed to file a  
 7 timely application to participate in the special twenty year retirement  
 8 plan contained in section 553 of the retirement and social security law  
 9 resulting in the crediting of his service with the county of Orleans in  
 10 the retirement plan contained in section 89-1 of such law, shall be  
 11 given full credit in the section 553 twenty year retirement plan for  
 12 such service upon the election of the county of Orleans to assume the  
 13 additional cost of such service and his election to participate in such  
 14 plan. The county of Orleans may so elect within one year of the effec-  
 15 tive date of this act, by filing with the state comptroller a resolution  
 16 of its local legislative body together with certification that such  
 17 member did not bar himself from participation in such retirement plan as  
 18 a result of his own negligence.  
 19 § 2. Such deputy sheriff may elect to be covered by the provisions of  
 20 section 553 of the retirement and social security law and shall be enti-

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

LBD08021-03-2

1 tled to the full rights and benefits associated with coverage under such  
2 section by filing a request to that effect with the state comptroller  
3 within eighteen months of the effective date of this act.

4 § 3. All employer past service costs associated with the implementa-  
5 tion of this act shall be borne by Orleans county, and may be amortized  
6 over a period of five years.

7 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Ryan Flaherty, a current member of the New York State and Local Employees' Retirement System employed as a deputy sheriff by Orleans County and covered under the 25-year retirement plan of section 89-I of the Retirement and Social Security Law (RSSL), to elect to be covered under the 20-year plan of section 553 of the RSSL.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$3,500 in the annual contributions of Orleans County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Ryan Flaherty change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$143,000 which will be borne by Orleans County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Orleans County elects to amortize this cost over a 5-year period, the cost for the first year including interest would be \$32,000.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 14, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-69, prepared by the Actuary for the New York State and Local Retirement System.

# STATE OF NEW YORK

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8443

## IN SENATE

March 1, 2022

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Introduced by Sen. AKSHAR -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the county of Broome to offer an optional twenty year retirement plan to Joshua Quinn, a deputy sheriff employed by such county

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
 2 Joshua Quinn, a member of the optional twenty-five year retirement plan  
 3 for certain sheriffs, undersheriffs, deputy sheriffs and correction  
 4 officers pursuant to section 89-m of the retirement and social security  
 5 law, who was employed by Broome county as a corrections officer as of  
 6 February 2, 2015, who was then promoted to deputy sheriff on March 3,  
 7 2015, and who through no fault of his own, failed to file a timely  
 8 application to participate in the special twenty year retirement plan  
 9 contained in section 552 of the retirement and social security law at  
 10 the time of his promotion to deputy sheriff resulting in the crediting  
 11 of his service with the county of Broome in the retirement plan  
 12 contained in section 89-m of such law, shall be given full credit in the  
 13 section 552 twenty year retirement plan for such service as a deputy  
 14 sheriff upon the election of the county of Broome to assume the addi-  
 15 tional cost of such service and his election to participate in such  
 16 plan. The county of Broome may so elect within one year of the effective  
 17 date of this act, by filing with the state comptroller a resolution of  
 18 its local legislative body together with certification that such member  
 19 did not bar himself from participation in such retirement plan as a  
 20 result of his own negligence.

21 § 2. Such deputy sheriff may elect to be covered by the provisions of  
 22 section 552 of the retirement and social security law and shall be enti-  
 23 tled to the full rights and benefits associated with coverage under such  
 24 section by filing a request to that effect with the state comptroller  
 25 within eighteen months of the effective date of this act.

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

LBD14584-03-2



1 § 3. All employer past service costs associated with the implementa-  
2 tion of this act shall be borne by Broome county, and may be amortized  
3 over a period of five years.

4 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Joshua Quinn, a current member of the New York State and Local Employees' Retirement System employed as a deputy sheriff by Broome County and covered under the 25-year retirement plan of section 89-M of the Retirement and Social Security Law (RSSL), to elect to be covered under the 20-year plan of section 552 of the RSSL.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$3,600 in the annual contributions of Broome County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Joshua Quinn change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$44,500 which will be borne by Broome County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Broome County elects to amortize this cost over a 5-year period, the cost for the first year including interest would be \$9,940.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 18, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-80, prepared by the Actuary for the New York State and Local Retirement System.

## STATE OF NEW YORK

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8505

### IN SENATE

March 8, 2022

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Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize Nicholas Moore, Joshua Golden and Nathan Kasprzak to receive certain service credit under section 384-d of the retirement and social security law

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
 2 the city of Plattsburgh, a participating employer in the New York state  
 3 local police and fire retirement system, is hereby authorized to make  
 4 participation in the 384-d special twenty year retirement plan pursuant  
 5 to section 384-d of the retirement and social security law available to  
 6 Nicholas Moore, a police officer employed with the Plattsburgh Police  
 7 Department with a start date of February 21, 2014, who, for reasons not  
 8 ascribable to his own negligence, was enrolled in the special twenty-  
 9 five year retirement plan contained within section 384 of the retirement  
 10 and social security law. Officer Moore shall be given full credit in the  
 11 special twenty year plan contained within section 384-d of the retire-  
 12 ment and social security law for such service upon election of the city  
 13 of Plattsburgh to assume the additional cost of such service.

14 § 2. Notwithstanding any other provision of law to the contrary, the  
 15 city of Plattsburgh, a participating employer in the New York state  
 16 local police and fire retirement system, is hereby authorized to make  
 17 participation in the 384-d special twenty year retirement plan pursuant  
 18 to section 384-d of the retirement and social security law available to  
 19 Joshua Golden, a police officer employed with the Plattsburgh Police  
 20 Department with a start date of February 21, 2014, who, for reasons not  
 21 ascribable to his own negligence, was enrolled in the special twenty-  
 22 five year retirement plan contained within section 384 of the retirement  
 23 and social security law. Officer Golden shall be given full credit in  
 24 the special twenty year plan contained within section 384-d of the  
 25 retirement and social security law for such service upon election of the  
 26 city of Plattsburgh to assume the additional cost of such service.

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

LBD14926-02-2

1 § 3. Notwithstanding any other provision of law to the contrary, the  
2 city of Plattsburgh, a participating employer in the New York state  
3 local police and fire retirement system, is hereby authorized to make  
4 participation in the 384-d special twenty year retirement plan pursuant  
5 to section 384-d of the retirement and social security law available to  
6 Nathan Kasprzak, a police officer employed with the Plattsburgh Police  
7 Department with a start date of February 28, 2014, who, for reasons not  
8 ascribable to his own negligence, was enrolled in the special twenty-  
9 five year retirement plan contained within section 384 of the retirement  
10 and social security law. Officer Kasprzak shall be given full credit in  
11 the special twenty year plan contained within section 384-d of the  
12 retirement and social security law for such service upon election of the  
13 city of Plattsburgh to assume the additional cost of such service.

14 § 4. The city of Plattsburgh may so elect by filing with the state  
15 comptroller within 180 days of the effective date of this act, a resol-  
16 ution of its legislative body, together with certification that such  
17 police officers did not bar themselves from participation in such  
18 retirement plan as a result of their own negligence. Thereafter, such  
19 officers may elect to be covered by the provisions of section 384-d of  
20 the retirement and social security law, and shall be entitled to full  
21 rights and benefits associated with the coverage under such section, by  
22 filing a request to this effect with the state comptroller within one  
23 year of the effective date of this act.

24 § 5. All past service costs associated with implementing the  
25 provisions of this act shall be borne by the city of Plattsburgh and may  
26 be amortized over a period of five years.

27 § 6. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow the City of Plattsburgh to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officers Nicholas Moore, Joshua Golden and Nathan Kasprzak.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$9,700 in the annual contributions of the City of Plattsburgh for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Nicholas Moore, Joshua Golden and Nathan Kasprzak change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$69,400 which will be borne by the City of Plattsburgh as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If the City of Plattsburgh elects to amortize this cost over a 5-year period, the cost for the first year including interest would be \$15,500.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 7, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-102, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9141

IN SENATE

May 11, 2022

Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the county of Clinton to offer an optional twenty-five year retirement plan to certain deputy sheriffs employed by such county

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 the county of Clinton, a participating employer in the New York state  
3 employees' retirement system, which has elected to offer the optional  
4 twenty-five year retirement plan, established pursuant to article 14-B  
5 of the retirement and social security law, to deputy sheriffs employed  
6 by such county, is hereby authorized to make participation in such plan  
7 available to Tanner Hooker, a deputy sheriff employed by the county of  
8 Clinton with a start date of May 27, 2019, Timothy Schwartz, a deputy  
9 sheriff employed by the county of Clinton with a start date of April 14,  
10 2020, and Ian Vanier, a deputy sheriff employed by the county of Clinton  
11 with a start date of February 18, 2019, who, for reasons not ascribable  
12 to their own negligence, failed to make a timely application to partic-  
13 ipate in such optional twenty-five year plan contained in article 14-B  
14 of the retirement and social security law. The county of Clinton may so  
15 elect by filing with the state Comptroller, on or before 180 days after  
16 this act shall have become law, a resolution of its governing body  
17 together with certification that such deputy sheriffs did not bar them-  
18 selves from participation in the retirement plan as a result of their  
19 own negligence. Thereafter, such deputy sheriffs may individually elect  
20 to be covered by the provisions of section 551 of the retirement and  
21 social security law, and shall be entitled to the full rights and bene-  
22 fits associated with coverage under such section, by filing a request  
23 with the state within one year of the effective date of this act.

24 § 2. All employer past service costs associated with implementing the  
25 provisions of this act shall be borne by the county of Clinton and may  
26 be amortized over a five year period.

27 § 3. This act shall take effect immediately.

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

LBD15472-02-2

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Tanner Hooker, Timothy Schwartz and Ian Vanier, all current members of the New York State and Local Employees' Retirement System employed as deputy sheriffs by Clinton County and covered under the 25-year retirement plan of section 89-p of the Retirement and Social Security Law (RSSL), to elect to be covered under the 25-year plan of section 551 of the RSSL.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$1,500 in the annual contributions of Clinton County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Tanner Hooker, Timothy Schwartz, and Ian Vanier change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$4,770 which will be borne by Clinton County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Clinton County elects to amortize this cost over a 5-year period, the cost for the first year including interest would be \$1,070.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 10, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-126, prepared by the Actuary for the New York State and Local Retirement System.

# STATE OF NEW YORK

1889--C  
Cal. No. 999

2021-2022 Regular Sessions

## IN SENATE

January 16, 2021

Introduced by Sens. SKOUFIS, ADDABBO, BROOKS, JACKSON, MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the retirement and social security law, in relation to providing accidental disability retirement benefits for fire protection specialists

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 607-1 to read as follows:

3 **§ 607-1. Performance of duty disability retirement; division of home-**  
4 **land security and emergency services. a. Any employee of the division of**  
5 **homeland security and emergency services in the title series fire**  
6 **protection specialist who becomes physically or mentally incapacitated**  
7 **for the performance of duty as the natural and proximate result of an**  
8 **injury sustained in the performance or discharge of his or her duties**  
9 **shall be paid a performance of duty disability retirement allowance**  
10 **equal to that which is provided in section sixty-three-b of this chap-**  
11 **ter.**

12 **b. Notwithstanding any provision of this chapter or of any general or**  
13 **special law to the contrary, any condition of impairment of health**  
14 **caused by diseases of the heart resulting in disability or death to an**

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

LBD06053-08-2

1 employee covered by this section presently employed who shall have  
2 sustained such disability while so employed and who successfully passed  
3 a physical examination on entry into service, which examination failed  
4 to disclose evidence of any disease or other impairment of the heart,  
5 shall be presumptive evidence that such disease or impairment was  
6 incurred in the performance and discharge of duty, unless the contrary  
7 be proved by competent evidence.

8 § 2. All past service costs associated with implementing the  
9 provisions of this act shall be borne by the state of New York.

10 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow certain employees of the Division of Homeland Security and Emergency Services (DHSES) in the job title series "fire protection specialist" to be eligible to receive a performance of duty disability benefit of 75% of final average salary, less worker's compensation. Further, this proposal provides that diseases of the heart are presumed to have occurred in the performance of duty. Currently, such members are eligible for a benefit of one-third of final average salary in the event of an accidental or ordinary disability.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$170,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$749,000 which will be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2023.

These estimated costs are based on 165 affected members employed by the State of New York, with annual salary of approximately \$15.4 million as of March 31, 2021. The affected members were identified using job title codes previously provided by the New York State Assembly.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated December 14, 2021, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-7, prepared by the Actuary for the New York State and Local Retirement System



## STATE OF NEW YORK

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6619--B

2021-2022 Regular Sessions

### IN SENATE

May 10, 2021

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Introduced by Sen. GOUNARDES -- (at request of the State Comptroller) -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the ordinary death benefit

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

1 Section 1. The closing paragraph of paragraph 2 of subdivision a of  
2 section 448 of the retirement and social security law, as amended by  
3 chapter 376 of the laws of 2021, is amended to read as follows:

4 In the case of a member of the New York state teachers' retirement  
5 system, commencing upon attainment of age [~~sixty-one~~ **sixty-two if such**  
6 **member's date of membership is prior to April first, two thousand twelve**  
7 **or attainment of age sixty-three if such member's date of membership is**  
8 **on or after April first, two thousand twelve**, the benefit otherwise  
9 provided pursuant to this paragraph shall be reduced while the member is  
10 in service to ninety-six per centum of the benefit otherwise payable and  
11 each year thereafter the benefit payable shall be reduced by an amount  
12 equal to four per centum per year of the original benefit otherwise  
13 payable, but not below sixty per centum of the original benefit other-  
14 wise payable. In the case of a member of the New York city employees'  
15 retirement system, the New York city board of education retirement  
16 system or the New York city teachers' retirement system, commencing upon  
17 attainment of age sixty-one, the benefit otherwise provided pursuant to  
18 this paragraph shall be reduced while the member is in service to nine-

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

LBD10525-07-2

1 ty-five per centum of the benefit otherwise payable and each year there-  
2 after the benefit payable shall be reduced by an amount equal to five  
3 per centum per year of the original benefit otherwise payable, but not  
4 below fifty per centum of the original benefit otherwise payable. In the  
5 case of any member of the New York state and local employees' retirement  
6 system who is permitted to retire without regard to age or a member of  
7 the New York state and local police and fire retirement system, commenc-  
8 ing upon attainment of age [~~sixty-one~~ sixty-two if such member's date  
9 of membership is prior to April first, two thousand twelve or attainment  
10 of age sixty-three if such member's date of membership is on or after  
11 April first, two thousand twelve, the benefit otherwise provided pursu-  
12 ant to this paragraph shall be reduced while the member is in service to  
13 ninety-seven per centum of the benefit otherwise payable, and each year  
14 thereafter the benefit payable shall be reduced by an amount equal to  
15 three per centum per year of the original benefit otherwise payable, but  
16 not below seventy per centum of the original benefit otherwise payable.  
17 In the case of any other member of the New York state and local employ-  
18 ees' retirement system, commencing upon attainment of age [~~sixty-one~~  
19 sixty-two if such member's date of membership is prior to April first,  
20 two thousand twelve or attainment of age sixty-three if such member's  
21 date of membership is on or after April first, two thousand twelve, the  
22 benefit otherwise provided pursuant to this paragraph shall be reduced  
23 while the member is in service to ninety-six per centum of the benefit  
24 otherwise payable, and each year thereafter the benefit payable shall be  
25 reduced by an amount equal to four per centum per year of the original  
26 benefit otherwise payable, but not below sixty per centum of the  
27 original benefit otherwise payable. Upon retirement from any retirement  
28 system, the benefit in force shall be reduced by fifty per centum; upon  
29 completion of the first year of retirement, the benefit in force at the  
30 time of retirement shall be reduced by an additional twenty-five per  
31 centum, and upon commencement of the third year of retirement, the bene-  
32 fit shall be ten per centum of the benefit in force at age sixty, if  
33 any, or at the time of retirement if retirement preceded such age;  
34 provided, however, the benefit in retirement shall not be reduced below  
35 ten per centum of the benefit in force at age sixty, if any, or at the  
36 time of retirement if retirement preceded such age. Notwithstanding any  
37 other provision of this paragraph to the contrary, the benefit for a  
38 retiree from the New York state and local employees' retirement system  
39 and the New York state teachers' retirement system shall not be reduced  
40 below ten per centum of the benefit in force at the time of retirement.

41 § 2. The closing paragraph of paragraph 2 of subdivision a of section  
42 508 of the retirement and social security law, as amended by chapter 376  
43 of the laws of 2021, is amended to read as follows:

44 Notwithstanding any other provision of this paragraph, in the case of  
45 a member of the New York state teachers' retirement system, commencing  
46 upon attainment of age [~~sixty-one~~ sixty-two if such member's date of  
47 membership is prior to April first, two thousand twelve or attainment of  
48 age sixty-three if such member's date of membership is on or after April  
49 first, two thousand twelve, the benefit otherwise provided pursuant to  
50 this paragraph shall be reduced while the member is in service to nine-  
51 ty-six per centum of the benefit otherwise payable, and each year there-  
52 after the benefit payable shall be reduced by an amount equal to four  
53 per centum per year of the original benefit otherwise payable, but not  
54 below sixty per centum of the original benefit otherwise payable. In the  
55 case of a member of the New York city employees' retirement system, the  
56 New York city board of education retirement system or the New York city

1 teachers' retirement system, commencing upon attainment of age sixty-  
 2 one, the benefit otherwise provided pursuant to this paragraph shall be  
 3 reduced while the member is in service to ninety-five per centum of the  
 4 benefit otherwise payable and each year thereafter the benefit payable  
 5 shall be reduced by an amount equal to five per centum per year of the  
 6 original benefit otherwise payable, but not below fifty per centum of  
 7 the original benefit otherwise payable. In the case of any member of the  
 8 New York state and local employees' retirement system who is permitted  
 9 to retire without regard to age, commencing upon attainment of age  
 10 ~~[sixty-one]~~ sixty-two if such member's date of membership is prior to  
 11 April first, two thousand twelve or attainment of age sixty-three if  
 12 such member's date of membership is on or after April first, two thou-  
 13 sand twelve, the benefit otherwise provided pursuant to this paragraph  
 14 shall be reduced while the member is in service to ninety-seven per  
 15 centum of the benefit otherwise payable, and each year thereafter the  
 16 benefit payable shall be reduced by an amount equal to three per centum  
 17 per year of the original benefit otherwise payable, but not below seven-  
 18 ty per centum of the original benefit otherwise payable. In the case of  
 19 any other member of the New York state and local employees' retirement  
 20 system, commencing upon attainment of age ~~[sixty-one]~~ sixty-two if such  
 21 member's date of membership is prior to April first, two thousand twelve  
 22 or attainment of age sixty-three if such member's date of membership is  
 23 on or after April first, two thousand twelve, the benefit otherwise  
 24 provided pursuant to this paragraph shall be reduced while the member is  
 25 in service to ninety-six per centum of the benefit otherwise payable,  
 26 and each year thereafter the benefit payable shall be reduced by an  
 27 amount equal to four per centum per year of the original benefit other-  
 28 wise payable, but not below sixty per centum of the original benefit  
 29 otherwise payable. Upon retirement from any retirement system, the bene-  
 30 fit in force shall be reduced by fifty per centum; upon completion of  
 31 the first year of retirement, the benefit in force at the time of  
 32 retirement shall be reduced by an additional twenty-five per centum, and  
 33 upon commencement of the third year of retirement, the benefit shall be  
 34 ten per centum of the benefit in force at age sixty, if any, or at the  
 35 time of retirement if retirement preceded such age; provided, however,  
 36 the benefit in retirement shall not be reduced below ten per centum of  
 37 the benefit in force at age sixty, if any, or at the time of retirement  
 38 if retirement preceded such age. Notwithstanding any other provision of  
 39 this paragraph to the contrary, the benefit for a retiree from the New  
 40 York state and local employees' retirement system and the New York state  
 41 teachers' retirement system shall not be reduced below ten per centum of  
 42 the benefit in force at the time of retirement.

43 § 3. The closing subparagraph of paragraph 2 of subdivision a of  
 44 section 606 of the retirement and social security law, as amended by  
 45 chapter 376 of the laws of 2021, is amended to read as follows:

46 In the case of a member of the New York state teachers' retirement  
 47 system, commencing upon attainment of age ~~[sixty-one]~~ sixty-two if such  
 48 member's date of membership is prior to April first, two thousand twelve  
 49 or attainment of age sixty-three if such member's date of membership is  
 50 on or after April first, two thousand twelve, the benefit otherwise  
 51 provided pursuant to this paragraph shall be reduced while the member is  
 52 in service to ninety-six per centum of the benefit otherwise payable,  
 53 and each year thereafter the benefit payable shall be reduced by an  
 54 amount equal to four per centum per year of the original benefit other-  
 55 wise payable, but not below sixty per centum of the original benefit  
 56 otherwise payable. In the case of a member of the New York city employ-

1 ees' retirement system, the New York city board of education retirement  
 2 system or the New York city teachers' retirement system, commencing upon  
 3 attainment of age sixty-one, the benefit otherwise provided pursuant to  
 4 this paragraph shall be reduced while the member is in service to nine-  
 5 ty-five per centum of the benefit otherwise payable and each year there-  
 6 after the benefit payable shall be reduced by an amount equal to five  
 7 per centum per year of the original benefit otherwise payable, but not  
 8 below fifty per centum of the original benefit otherwise payable. In the  
 9 case of any member of the New York state and local employees' retirement  
 10 system who is permitted to retire without regard to age, commencing upon  
 11 attainment of age [~~sixty-one~~ sixty-two if such member's date of member-  
 12 ship is prior to April first, two thousand twelve or attainment of age  
 13 sixty-three if such member's date of membership is on or after April  
 14 first, two thousand twelve, the benefit otherwise provided pursuant to  
 15 this paragraph shall be reduced while the member is in service to nine-  
 16 ty-seven per centum of the benefit otherwise payable, and each year  
 17 thereafter the benefit payable shall be reduced by an amount equal to  
 18 three per centum per year of the original benefit otherwise payable, but  
 19 not below seventy per centum of the original benefit otherwise payable.  
 20 In the case of any other member of the New York state and local employ-  
 21 ees' retirement system, commencing upon attainment of age [~~sixty-one~~  
 22 sixty-two if such member's date of membership is prior to April first,  
 23 two thousand twelve or attainment of age sixty-three if such member's  
 24 date of membership is on or after April first, two thousand twelve, the  
 25 benefit otherwise provided pursuant to this paragraph shall be reduced  
 26 while the member is in service to ninety-six per centum of the benefit  
 27 otherwise payable, and each year thereafter the benefit payable shall be  
 28 reduced by an amount equal to four per centum per year of the original  
 29 benefit otherwise payable, but not below sixty per centum of the  
 30 original benefit otherwise payable. Upon retirement, from any retirement  
 31 system, the benefit in force shall be reduced by fifty per centum; upon  
 32 completion of the first year of retirement, the benefit in force at the  
 33 time of retirement shall be reduced by an additional twenty-five per  
 34 centum, and upon commencement of the third year of retirement, the bene-  
 35 fit shall be ten per centum of the benefit in force at age sixty, if  
 36 any, or at the time of retirement if retirement preceded such age;  
 37 provided, however, the benefit in retirement shall not be reduced below  
 38 ten per centum of the benefit in force at age sixty, if any, or at the  
 39 time of retirement if retirement preceded such age. Notwithstanding any  
 40 other provision of this paragraph to the contrary, the benefit for a  
 41 retiree from the New York state and local employees' retirement system  
 42 and the New York state teachers' retirement system shall not be reduced  
 43 below ten per centum of the benefit in force at the time of retirement.

44 § 4. Notwithstanding any other provision of law to the contrary, the  
 45 provisions of this act shall not be subject to section 25 of the retire-  
 46 ment and social security law.

47 § 5. This act shall take effect on the first of April next succeeding  
 48 the date on which it shall have become a law.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would delay reductions in the ordinary death benefits paya-  
 ble to beneficiaries of the New York State and Local Employees' Retire-  
 ment System (NYSLERS) and New York State and Local Police and Fire  
 Retirement System (NYSLPFRS), ensuring that no reduction applies before  
 a member becomes eligible for an unreduced retirement benefit. Current-  
 ly, annual reductions of 4% (NYSLERS age-based plans) or 3% (all other  
 plans) are applied to ordinary death benefits immediately when a member

attains age 61. This bill would delay the reductions until age 62 for members in Tiers 1-5, and age 63 for members in Tier 6.

Insofar as this bill affects the NYSLERS, if this legislation is enacted during the 2022 legislative session, there would be an increase in the present value of future costs of approximately \$33 million which would be shared by the State of New York and all of the Local participating employers in the NYSLERS. The estimated first year cost would be approximately \$1.5 million to the State of New York and approximately \$2.1 million to the Local participating employers in the NYSLERS.

Insofar as this bill affects NYSLPFRS, if this legislation is enacted during the 2022 legislative session, we anticipate that the cost would be negligible.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated December 21, 2021, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-25, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend Section 448, Section 508 and Section 606 of the Retirement and Social Security Law to change the age at which reductions to the ordinary death benefit commence for active members of the New York State Teachers' Retirement System. Currently, the ordinary death benefit is reduced by four percent per year commencing at age 61. This bill would change the age at which reductions commence to age 62 for members with a date of membership prior to April 1, 2012 and to age 63 for members with a date of membership on or after April 1, 2012. The post-retired death benefit for affected members, which is based on the ordinary death benefit, would be increased as well.

The annual cost to the employers of members of the New York State Teachers' Retirement System for this benefit is estimated to be \$1.0 million or .01% of payroll if this bill is enacted.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the Actuarial Assumptions 2021 report.

The source of this estimate is Fiscal Note 2022-11 dated January 21, 2022 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

## STATE OF NEW YORK

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7238--A

2021-2022 Regular Sessions

### IN SENATE

June 8, 2021

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Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the town of Niskayuna, in the county of Schenectady, to offer certain retirement options to John F. Connor, Jeffrey A. Relation, Joseph H. Twitty and Paul J. Daly, police officers employed by such town

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

1     Section 1. Notwithstanding any other provision of law to the contrary,  
 2     the town of Niskayuna, in the county of Schenectady, a participating  
 3     employer in the New York state and local police and fire retirement  
 4     system, which previously elected to offer the optional retirement plan  
 5     established pursuant to section 384 of the retirement and social securi-  
 6     ty law to police officers employed by such town, is hereby authorized to  
 7     make participation in such plan available to John F. Connor, Jeffrey A.  
 8     Relation, Joseph H. Twitty and Paul J. Daly, police officers employed by  
 9     the town of Niskayuna, who, on the effective date of this act are  
 10    covered under the provisions of section 375-c of the retirement and  
 11    social security law, and who, for reasons not ascribable to their own  
 12    negligence failed to make a timely application to participate in such  
 13    optional retirement plan. The town of Niskayuna may so elect by filing  
 14    with the state comptroller, on or before June 30, 2023, a resolution of  
 15    its legislative body together with certification that any such police  
 16    officer did not bar himself or herself from participation in such  
 17    retirement plan as a result of his or her own negligence. Thereafter,  
 18    any such police officer may elect to be covered by the provisions of  
 19    section 384 of the retirement and social security law, and shall be  
 20    entitled to the full rights and benefits associated with coverage under

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

LBD09733-06-2

1 such section, by filing a request to that effect with the state comp-  
2 troller on or before June 30, 2024.

3 § 2. All costs associated with implementing the provisions of this act  
4 shall be borne by the town of Niskayuna.

5 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow the town of Niskayuna to reopen the provisions of Section 384 of the Retirement and Social Security Law for four police officers: John F. Connor, Jeffrey A. Relation, Joseph H. Twitty and Paul J. Daly.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$34,000 in the annual contributions of the town of Niskayuna for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected police officers change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of \$712,000, which will be borne by the Town of Niskayuna as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found In the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 30, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-114, prepared by the Actuary for the New York State and Local Retirement System.



## STATE OF NEW YORK

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8676

### IN SENATE

March 29, 2022

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Introduced by Sen. MARTUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT granting retroactive tier IV membership in the New York state and local employees' retirement system to Mark Pavlak

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
 2 Mark Pavlak, a tier VI member of the New York state and local employees'  
 3 retirement system employed by the town of Thompson who was employed as a  
 4 full-time employee with Liberty Central School District from July 6,  
 5 2007 through August 31, 2007 and July 7, 2008 through August 29, 2008  
 6 and who, through no fault of his own, did not become a member of the New  
 7 York state and local employees' retirement system on July 6, 2007 when  
 8 he became eligible for membership in such system, shall be deemed to  
 9 have a date of membership with the New York state and local employees'  
 10 retirement system of July 6, 2007 if he shall file an application there-  
 11 fore with the state comptroller within one year of the effective date of  
 12 this act. Upon the receipt of such application, Mark Pavlak shall be  
 13 granted tier IV status in the New York state and local employees'  
 14 retirement system and shall be eligible for all the rights and benefits  
 15 thereof.

16 § 2. All past service costs of implementing the provisions of this act  
 17 shall be borne by Liberty Central School District, and there shall be no  
 18 refund of member contributions to Mark Pavlak.

19 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would grant Tier 4 status in the New York State and Local Employees' Retirement System to Mark Pavlak, a current Tier 6 member employed by the Town of Thompson, by changing his date of membership to July 6, 2007. Mark Pavlak was previously employed by the Liberty Central School District from July 2007 to August 2007 and from July 2008 to August 2008. There will be no refund of member contributions.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$4,300 in the

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

LBD14998-02-2

annual contributions of the Town of Thompson for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Mark Pavlak change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$71,100 which will be borne by the Liberty Central School District as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 21, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-107, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

9026

IN SENATE

May 4, 2022

Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT granting retroactive tier IV status in the New York state and local employees' retirement system to Kimberly Kinblom

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 Kimberly Kinblom, who was employed as a laborer by the city of Platts-  
3 burgh with a start date of June 28, 2004, and who is currently a member  
4 of the New York state and local employees' retirement system, who  
5 through no fault of her own did not become a member of the New York  
6 state and local employees' retirement system on June 28, 2004 when first  
7 employed by city of Plattsburgh shall be deemed to have been a member of  
8 the New York state and local employees' retirement system on such date  
9 she commenced her employment and shall be granted Tier IV status,  
10 provided that an application is filed with the head of the New York  
11 state and local employees' retirement system within one year from the  
12 effective date of this act. Upon the granting of such retroactive  
13 membership, Kimberly Kinblom shall not be granted a refund of any  
14 employee contribution made by her to the New York state and local  
15 employees' retirement system.

16 § 2. All past services costs associated with the implementation of  
17 this act shall be borne by Clinton county.

18 § 3. This act shall take effect immediately.

FISCAL NOTE. -- Pursuant to Legislative Law, Section 50:

This bill would grant Tier 4 status in the New York State and Local Employees' Retirement System to Kimberly Kinblom, a current Tier 6 member employed by Clinton County, by changing her date of membership to June 28, 2004. Kimberly Kinblom was previously employed by the City of Plattsburgh from June 2004 to August 2007. There will be no refund of member contributions.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$5,500 in the annual contributions of Clinton County for the fiscal year ending March

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

LBD15050-04-2

31, 2023. In future years, this cost will vary as the billing rates and salary of Kimberly Kinblom change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$103,000 which will be borne by Clinton County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 3, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-136, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

6058--A

2021-2022 Regular Sessions

IN SENATE

April 1, 2021

Introduced by Sens. STEC, BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to deem an application filed with the New York state and local police and fire retirement system by the widow of Stephen L. Raymond as timely filed

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

1 Section 1. Notwithstanding the provisions of any general or special  
2 law, rule or regulation to the contrary, an application for conversion  
3 of service or disability retirement to accidental death benefits for  
4 victims of the 2001 World Trade Center disaster filed by Shari Raymond  
5 with the New York state and local police and fire retirement system, on  
6 behalf of her deceased husband Stephen L. Raymond who was previously  
7 employed as a New York state department of environmental conservation  
8 police officer and was a service retiree of the New York state and local  
9 police and fire retirement system since March 29, 2007 which pursuant to  
10 section 361 of the retirement and social security law had to be filed  
11 with such retirement system by April 17, 2019 but was filed on December  
12 23, 2019 shall be considered timely filed.

13 § 2. All costs of implementing the provisions of this act shall be  
14 paid by the state of New York.

15 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow the application for conversion of service or disability retirement to accidental death benefits for victims of the 2001 World Trade Center disaster filed by Shari Raymond on behalf of

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

LBD09447-04-2

Stephen L. Raymond, who was a service retiree in the New York State and Local Police and Fire Retirement System, to be deemed timely.

If this bill is enacted during the 2022 legislative session, there will be an immediate past service cost of approximately \$2.07 million which will be borne by the State of New York. This estimate is based on the assumption that payment will be made on March 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 13, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-52, prepared by the Actuary for the New York State and Local Retirement System.

STATE OF NEW YORK

7240--A

2021-2022 Regular Sessions

IN SENATE

June 8, 2021

Introduced by Sen. RATH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT granting retroactive tier III membership in the New York state and local employees' retirement system to Steven R. Grice

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

1 Section 1. Notwithstanding any other law to the contrary, Steven R.  
2 Grice, who is currently a Tier VI member of the New York state and local  
3 employees' retirement system and currently employed by the county of  
4 Genesee, and who commenced employment with the county of Genesee on June  
5 22, 1981, and who, for reasons not ascribable to his own negligence,  
6 failed to become a member of the New York state and local employees'  
7 retirement system in 1981, may be deemed to have become a member of the  
8 New York state and local employees' retirement system on June 22, 1981,  
9 if within one year of the effective date of this act he shall file an  
10 application therefor with the state comptroller. Upon receipt of such  
11 application, Steven R. Grice shall be granted Tier III status in the New  
12 York state and local employees' retirement system and be eligible for  
13 all the rights and benefits thereof. No contributions made to the New  
14 York state and local employees' retirement system by Steven R. Grice  
15 shall be returned to him pursuant to this act.

16 § 2. Any past service costs incurred in implementing the provisions of  
17 this act shall be borne by the county of Genesee.

18 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would grant Tier 3 status in the New York State and Local Employees' Retirement System to Steven R. Grice, a current Tier 6 member employed by the County of Genesee, by changing their date of membership

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

LBD03514-03-2

to June 22, 1981, the first date of Steven Grice's employment with the County of Genesee. There will be no refund of member contributions.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$3,900 in the annual contributions of the County of Genesee for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of Steven Grice change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$18,600 which will be borne by the County of Genesee as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 11, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-139, prepared by the Actuary for the New York State and Local Retirement System.



STATE OF NEW YORK

8532--A

IN SENATE

March 9, 2022

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to investments by public pension funds

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

1 Section 1. Paragraph (a) of subdivision 9 of section 177 of the  
2 retirement and social security law, as amended by chapter 22 of the laws  
3 of 2006, is amended to read as follows:

4 (a) the investments by a fund made pursuant to this subdivision shall  
5 not at any time exceed [~~twenty-five~~] thirty-five per centum of the  
6 assets of such fund;

7 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend subdivision 9 of Section 177 of the Retirement and Social Security Law to increase to 35% the percentage of assets which may be invested by the New York State Teachers' Retirement System in those investments that aren't otherwise specifically permitted under the other subdivisions of this section. The current limit is 25%.

If this bill is enacted, any cost or savings to the employers of members of the New York State Teachers' Retirement System would depend on the investment performance of any assets that are invested in a different manner due to this change in the investment restrictions. Additional investment income will result in lower required employer contributions, and vice-versa.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuari-

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

LBD14677-05-2

al assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-38 dated April 26, 2022 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend the Retirement and Social Security Law to increase the limit on non-legal list investments for the eight public retirement systems of New York State. It would replace the current 25% limit with a 35% limit.

If this bill is enacted, insofar as this bill affects the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System, we assume that there would be some investment changes. Any increases in investment earnings will result in decreases in employer contributions. Similarly, any decreases in investment earnings will result in increases in employer contributions.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 27, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-127, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend paragraph (a) of subdivision 9 of Section 177 of the Retirement and Social Security Law (RSSL) to increase, among others, the New York City Retirement Systems and Pension Funds (NYCRS) asset allocation limits for "Basket Clause" investments from 25% to 35% of each of the NYCRS's assets in the aggregate. The Basket Clause provides a limit on the amount of NYCRS assets that can be invested in vehicles not otherwise provided for in Section 177.

Effective Date: Upon enactment.

FINANCIAL IMPACT - SUMMARY: With respect to the NYCRS, the enactment of this proposed legislation would not, in and of itself, result in any change in employer contributions.

The cost of a retirement program is funded by contributions and investment income, the latter of which is driven by the rate of return on the assets. To the extent that the NYCRS increase their investment in the securities that would be authorized by this proposed legislation and those securities produce greater (lesser) rates of return than the rates of return that the NYCRS would otherwise have achieved, then employer contributions will be lesser (greater).

**CENSUS DATA:** The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuations of NYCRS to determine the Preliminary Fiscal Year 2023 employer contributions.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The estimates presented herein have been calculated based on the actuarial assumptions and methods in effect for the Preliminary June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCRS.

**RISK AND UNCERTAINTY:** The financial impact presented in this Fiscal Note depends highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCRS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

As a reference, increasing the investment return by 1.0% each year would reduce the unfunded liability by approximately \$24.8 billion, while decreasing it by 1.0% would increase the unfunded liability by approximately \$29.5 billion.

Not measured in this Fiscal Note are the following:

\* Any additional administrative costs to each of the NYCRS and other New York City agencies to implement, and maintain potentially increased Basket Clause securities, based on the proposed legislation.

**STATEMENT OF ACTUARIAL OPINION:** I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

**FISCAL NOTE IDENTIFICATION:** This Fiscal Note 2022-31 dated April 21, 2022 was prepared by the Interim Chief Actuary for the New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2022 Legislative Session.

STATE OF NEW YORK

9119

IN SENATE

May 10, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, the education law, the public authorities law and the administrative code of the city of New York, in relation to extending the coronavirus disease 2019 (COVID-19) benefit for public employee death benefits; and to amend chapter 78 of the laws of 2021, amending the retirement and social security law and other laws relating to establishing a coronavirus disease 2019 (COVID-19) benefit for public employee death benefits, in relation to the effectiveness thereof

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

1 Section 1. Paragraph 3 of subdivision a of section 61-b of the retire-  
2 ment and social security law, as added by chapter 78 of the laws of  
3 2021, is amended to read as follows:

4 3. Such member died on or before December thirty-first, two thousand  
5 [~~twenty-two~~ twenty-four, and COVID-19 caused or contributed to such  
6 member's death, as documented on such member's death certificate, or as  
7 certified by a physician, nurse practitioner, or physician's assistant  
8 described in paragraph two of this subdivision who determines with a  
9 reasonable degree of medical certainty that COVID-19 caused or contrib-  
10 uted to the member's death, such member's statutory beneficiary shall  
11 receive an accidental death benefit, unless such statutory beneficiary  
12 elects to receive an ordinary death benefit.

13 § 2. Paragraph 3 of subdivision a of section 361-b of the retirement  
14 and social security law, as added by chapter 78 of the laws of 2021, is  
15 amended to read as follows:

16 3. Such member died on or before December thirty-first, two thousand  
17 [~~twenty-two~~ twenty-four, and COVID-19 caused or contributed to such  
18 member's death, as documented on such member's death certificate, or as  
19 certified by a physician, nurse practitioner, or physician's assistant  
20 described in paragraph two of this subdivision who determines with a  
21 reasonable degree of medical certainty that COVID-19 caused or contrib-  
22 uted to the member's death, such member's statutory beneficiary shall

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LBD14502-02-2

1 receive an accidental death benefit, unless such statutory beneficiary  
2 elects to receive an ordinary death benefit.

3 § 3. Paragraph 3 of subdivision a of section 509-a of the retirement  
4 and social security law, as added by chapter 78 of the laws of 2021, is  
5 amended to read as follows:

6 3. Such member died on or before December thirty-first, two thousand  
7 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
8 member's death, as documented on such member's death certificate, or as  
9 certified by a physician, nurse practitioner, or physician's assistant  
10 described in paragraph two of this subdivision who determines with a  
11 reasonable degree of medical certainty that COVID-19 caused or contrib-  
12 uted to the member's death, such member's statutory beneficiary shall  
13 receive an accidental death benefit, unless such statutory beneficiary  
14 elects to receive an ordinary death benefit.

15 § 4. Paragraph 3 of subdivision a of section 607-i of the retirement  
16 and social security law, as added by chapter 78 of the laws of 2021, is  
17 amended to read as follows:

18 3. Such member died on or before December thirty-first, two thousand  
19 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
20 member's death, as documented on such member's death certificate, or as  
21 certified by a physician, nurse practitioner, or physician's assistant  
22 described in paragraph two of this subdivision who determines with a  
23 reasonable degree of medical certainty that COVID-19 caused or contrib-  
24 uted to the member's death, such member's statutory beneficiary shall  
25 receive an accidental death benefit, unless such statutory beneficiary  
26 elects to receive an ordinary death benefit.

27 § 5. Subparagraph (C) of paragraph 1 of subdivision h of section 512  
28 of the education law, as added by chapter 78 of the laws of 2021, is  
29 amended to read as follows:

30 (C) such member died on or before December thirty-first, two thousand  
31 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
32 member's death, as documented on such member's death certificate, or as  
33 certified by a physician, nurse practitioner, or physician's assistant  
34 described in subparagraph (B) of this paragraph who determines with a  
35 reasonable degree of medical certainty that COVID-19 caused or contrib-  
36 uted to the member's death, such member's statutory beneficiary shall  
37 receive an accidental death benefit, unless such statutory beneficiary  
38 elects to receive an ordinary death benefit.

39 § 6. Subparagraph (iii) of paragraph (a) of subdivision 26 of section  
40 2575 of the education law, as added by chapter 78 of the laws of 2021,  
41 is amended to read as follows:

42 (iii) such member died on or before December thirty-first, two thou-  
43 sand [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to  
44 such member's death, as documented on such member's death certificate,  
45 or as certified by a physician, nurse practitioner, or physician's  
46 assistant described in subparagraph (ii) of this paragraph who deter-  
47 mines with a reasonable degree of medical certainty that COVID-19 caused  
48 or contributed to the member's death, such member's statutory benefi-  
49 ciary shall receive an accidental death benefit, unless such statutory  
50 beneficiary elects to receive an ordinary death benefit.

51 § 7. Subparagraph (iii) of paragraph (a) of subdivision 8 of section  
52 1266-h of the public authorities law, as added by chapter 78 of the laws  
53 of 2021, is amended to read as follows:

54 (iii) Such member died on or before December thirty-first, two thou-  
55 sand [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to  
56 such member's death, as documented on such member's death certificate,

1 or as certified by a physician, nurse practitioner, or physician's  
2 assistant described in subparagraph (ii) of this paragraph who deter-  
3 mines with a reasonable degree of medical certainty that COVID-19 caused  
4 or contributed to the member's death, such member's statutory benefici-  
5 ary shall receive an accidental death benefit, unless such statutory  
6 beneficiary elects to receive an ordinary death benefit.

7 § 8. Paragraph (c) of subdivision 1 of section 13-149.1 of the admin-  
8 istrative code of the city of New York, as added by chapter 78 of the  
9 laws of 2021, is amended to read as follows:

10 (c) Such member died on or before December thirty-first, two thousand  
11 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
12 member's death, as documented on such member's death certificate, or as  
13 certified by a physician, nurse practitioner, or physician's assistant  
14 described in paragraph (b) of this subdivision who determines with a  
15 reasonable degree of medical certainty that COVID-19 caused or contrib-  
16 uted to the member's death, such member's statutory beneficiary shall  
17 receive an accidental death benefit, unless such statutory beneficiary  
18 elects to receive an ordinary death benefit.

19 § 9. Paragraph (c) of subdivision 1 of section 13-244.1 of the admin-  
20 istrative code of the city of New York, as added by chapter 78 of the  
21 laws of 2021, is amended to read as follows:

22 (c) Such member died on or before December thirty-first, two thousand  
23 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
24 member's death, as documented on such member's death certificate, or as  
25 certified by a physician, nurse practitioner, or physician's assistant  
26 described in paragraph (b) of this subdivision who determines with a  
27 reasonable degree of medical certainty that COVID-19 caused or contrib-  
28 uted to the member's death, such member's statutory beneficiary shall  
29 receive an accidental death benefit, unless such statutory beneficiary  
30 elects to receive an ordinary death benefit.

31 § 10. Paragraph (c) of subdivision 1 of section 13-347.1 of the admin-  
32 istrative code of the city of New York, as added by chapter 78 of the  
33 laws of 2021, is amended to read as follows:

34 (c) Such member died on or before December thirty-first, two thousand  
35 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
36 member's death, as documented on such member's death certificate, or as  
37 certified by a physician, nurse practitioner, or physician's assistant  
38 described in paragraph (b) of this subdivision who determines with a  
39 reasonable degree of medical certainty that COVID-19 caused or contrib-  
40 uted to the member's death, such member's statutory beneficiary shall  
41 receive an accidental death benefit, unless such statutory beneficiary  
42 elects to receive an ordinary death benefit.

43 § 11. Paragraph (c) of subdivision 1 of section 13-544.1 of the admin-  
44 istrative code of the city of New York, as added by chapter 78 of the  
45 laws of 2021, is amended to read as follows:

46 (c) Such member died on or before December thirty-first, two thousand  
47 [~~twenty-two~~] twenty-four, and COVID-19 caused or contributed to such  
48 member's death, as documented on such member's death certificate, or as  
49 certified by a physician, nurse practitioner, or physician's assistant  
50 described in paragraph (b) of this subdivision who determines with a  
51 reasonable degree of medical certainty that COVID-19 caused or contrib-  
52 uted to the member's death, such member's statutory beneficiary shall  
53 receive an accidental death benefit, unless such statutory beneficiary  
54 elects to receive an ordinary death benefit.

55 § 12. Section 14 of chapter 78 of the laws of 2021, amending the  
56 retirement and social security law and other laws relating to establish-

1 ing a coronavirus disease 2019 (COVID-19) benefit for public employee  
2 death benefits, is amended to read as follows:

3 § 14. This act shall take effect immediately and shall be deemed to  
4 have been in full force and effect on and after March 1, 2020; provided  
5 that the provisions of this act shall expire and be deemed repealed on  
6 December 31, [~~2022~~] 2024.

7 § 13. This act shall take effect immediately and shall be deemed to  
8 have been in full force and effect on and after March 1, 2020.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation, as it relates to the New York City Retirement Systems and Pension Funds (NYCRS), would amend Sections of the Retirement and Social Security Law (RSSL), the Administrative Code of the City of New York (ACCNY), and the Education Law to extend Accidental Death Benefits, less other statutory benefits paid or payable, to beneficiaries of certain members of the New York City Employees' Retirement System (NYCERS), the New York City Teachers' Retirement System (TRS), the New York City Board of Education Retirement System (BERS), the New York City Police Pension Fund (POLICE), and the New York City Fire Pension Fund (FIRE) who physically reported to non-home work sites on and after March 1, 2020 and died on or before December 31, 2024 due to Coronavirus Disease 2019 (COVID-19) that was contracted within 45 days of such reporting to work.

This proposed legislation extends certain provisions contained in Chapter 78 of the Laws of 2021 that was set to expire on December 31, 2022.

Effective Date: Upon enactment, and retroactive to March 1, 2020, except that the provisions shall expire and be deemed repealed on December 31, 2024.

IMPACT ON BENEFITS PAYABLE: Under the proposed legislation, the benefits payable to beneficiaries of active members of NYCRS who die due to COVID-19 between January 1, 2023 and December 31, 2024 would be revised from a lump sum Ordinary Death Benefit generally equal to three times a member's last salary to a lifetime Accidental Death Benefit equal to 50% of a member's wages earned during the last year of service plus, if applicable, the Special Accidental Death Benefit payable under General Municipal Law section 208-f.

In determining whether Accidental Death Benefits should be awarded, a deceased member must have a positive lab test for COVID-19 within 45 days of reporting to such work assignment, or have been diagnosed with such condition, within the same period, from a qualified medical provider, either before or after the member's death. The beneficiary of such Actuary Fiscal Note 2022-23 for LBDC 14502-01-2 Page 1 deceased member would also have to show that COVID-19 was the cause or contributing factor in the member's death, as documented by a death certificate or by a qualified health care provider.

FINANCIAL IMPACT - OVERVIEW: There is very limited data available to estimate the number of members who might die due to COVID-19 and potentially benefit from this proposed legislation. Therefore, the estimated financial impact has been calculated on a per event basis equal to the increase in the Present Value of Future Benefits (PVFB) for an average member who dies from COVID-19 and would benefit from the proposed legislation.

With respect to an individual member, the additional cost of this proposed legislation could vary greatly depending on the member's length of service, age, and salary history.

FINANCIAL IMPACT - PRESENT VALUES: Based on the census data and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would result in an increase in PVFB. A breakdown of the PVFB by NYCERS on average for each occurrence of death is shown in the table below.

Estimated Additional Present Value of Future Benefits due to COVID-19 Death			
	NYCERS	TRS	BERS
Age < 40	\$ 543,100	\$ 338,100	\$ 264,700
40<=Age<60	422,700	318,400	183,900
Age >= 60	229,400	202,200	112,100
All Ages	\$ 421,200	\$ 312,700	\$ 180,200
	POLICE	FIRE	All Systems
Age < 40	\$ 1,947,200	\$ 2,018,800	\$ 750,700
40<=Age<60	2,292,300	2,305,900	549,400
Age >= 60	1,670,500	1,613,700	217,800
All Ages	\$ 2,078,600	\$ 2,158,300	\$ 569,600

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: Enactment of this proposed legislation would increase employer contributions, where such amount would depend on the number of members affected as well as other characteristics including the age, years of service, and salary history of the member.

As there is very limited data currently available to estimate the number of members who might die from COVID-19, the financial impact would be recognized at the time of event. Consequently, changes in employer contributions have been estimated assuming that the increase in the PVFB will be financed over the same time period used for actuarial losses in accordance with Section 13-638.2(k-2) of the ACCNY. Using this approach, the additional PVFB would be amortized over a closed 15-year period (14 payments under the One-Year Lag Methodology) using level dollar payments.

Based on the Actuary's actuarial assumptions and methods described herein, the enactment of this proposed legislation is estimated to increase first-year annual employer contributions on average for each death benefit due to COVID-19 as shown in the table below.

Estimated Additional First-Year Annual Employer Contributions due to COVID-19 Death			
	NYCERS	TRS	BERS
Age < 40	\$ 64,200	\$ 40,000	\$ 31,300
40<=Age<60	50,000	37,700	21,800
Age >= 60	27,100	23,900	13,300
All Ages	\$ 49,800	\$ 37,000	\$ 21,300
New York City	\$ 62,400	\$ 37,300	\$ 20,700
Non-City Obligor	\$ 34,300	\$ 29,200	\$ 41,800
	POLICE	FIRE	All Systems
Age < 40	\$ 230,300	\$ 238,800	\$ 88,800
40<=Age<60	271,100	272,700	65,000
Age >= 60	197,600	190,900	25,800



All Ages	\$ 245,900	\$ 255,300	\$ 67,400
New York City	\$ 245,900	\$ 255,300	\$ 77,400
Non-City Obligors	N/A	N/A	\$ 34,100

With respect to the timing, increases in employer contributions would depend upon when members die due to COVID-19 but, generally, increased employer contributions will first occur the second fiscal year following approval of the performance of duty death benefit.

CENSUS DATA: The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuations of NYCERS to determine the Preliminary Fiscal Year 2023 employer contributions.

Counts	NYCERS	TRS	BERS
Age < 40	50,381	45,938	5,022
40<=Age<60	102,522	63,424	15,465
Age >= 60	32,829	13,849	7,069
All Ages	185,732	123,211	27,556

  

	POLICE	FIRE	All Systems
Age < 40	21,379	4,951	127,671
40<=Age<60	13,463	5,594	200,468
Age >= 60	164	248	54,159
All Ages	35,006	10,793	382,298

  

Average Age	NYCERS	TRS	BERS
Age < 40	33.3	33.0	33.5
40<=Age<60	49.9	48.6	50.6
Age >= 60	64.2	64.4	64.8
All Ages	47.9	44.6	51.1

  

	POLICE	FIRE	All Systems
Age < 40	32.2	33.3	33.0
40<=Age<60	45.6	47.2	49.2
Age >= 60	61.9	61.9	64.3
All Ages	37.5	41.2	45.9

  

Average Service	NYCERS	TRS	BERS
Age < 40	5.0	6.2	3.9
40<=Age<60	13.4	15.5	9.3
Age >= 60	19.8	20.1	13.7
All Ages	12.2	12.5	9.4

  

	POLICE	FIRE	All Systems
Age < 40	7.1	7.0	5.8
40<=Age<60	18.1	20.2	14.2
Age >= 60	32.1	34.5	19.2
All ages	11.4	14.5	12.1

  

Average Salary	NYCERS	TRS	BERS
Age < 40	\$ 73,300	\$ 82,400	\$ 58,800
40<=Age<60	85,800	101,200	55,300

Age >= 60	85,400	91,600	47,300
All Ages	\$ 82,300	\$ 93,100	\$ 53,900

	POLICE	FIRE	All Systems
Age < 40	\$ 106,000	\$ 107,100	\$ 82,800
40<=Age<60	146,200	148,500	94,100
Age >= 60	170,700	164,100	82,600
All Ages	\$ 121,800	\$ 129,800	\$ 88,700

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the PVFB and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

- o The initial, additional administrative costs to implement the proposed legislation.
- o The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-23 dated April 18, 2022 was prepared by the Interim Chief Actuary for the five New York City Retirement Systems and Pension Funds. This estimate is intended for use only during the 2022 Legislative Session.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow a beneficiary of any member of a public retirement system to be paid an accidental death benefit, as if the member died in the performance and discharge of duty, provided that the member

- a) physically reported for work on or after March 1, 2020,
- b) contracted COVID-19 within 45 days from such work date, and
- c) died from such disease on or before December 31, 2024.

In addition to the first two criteria state above, Chapter 78 of the Laws of 2021 currently requires a member to have died from COVID-19 on or before December 31, 2022.

A positive test result, death certificate citing COVID-19, or certification by certain medical personnel is sufficient to establish contraction and death from COVID-19.

The accidental death benefit would be based on the member's plan coverage. This bill also would create benefits payable under the Public Authorities Law.

Insofar as this bill would affect the New York State and Local Employees' Retirement System (ERS) and the New York State and Local Police and Fire Retirement System (PFRS), qualifying COVID-19 deaths which currently are considered ordinary deaths will be treated as accidental deaths. The cost of the proposed benefit will depend upon the applicant's age, service, salary, plan, and benefit type otherwise payable.

Service Retirement Eligible:	Yes	No
PFRS Benefit Increase/Cost:	10 times salary	15 times salary
ERS Benefit Increase/Cost:	4.5 times salary	4.5 times salary

The number of members and retirees who could be affected by this legislation cannot be readily determined. However, all ERS and PFRS members will be covered and eligible for these benefits, including new hires through the expiration of the coverage provided under this legislation. All costs incurred in the PFRS will be shared by the State of New York and all the participating employers in the PFRS. All costs incurred in the ERS will be shared by the State of New York and all the participating employers in the ERS.

In addition to these per person costs, there would be annual increases in administrative and legal costs to implement the provisions of this legislation.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 10, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-73, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would extend the provisions of the COVID-19 enhanced death benefit provided under Chapter 78 of the Laws of 2021 until December 31, 2024 on account of eligible active members of the New York State Teachers' Retirement System (NYSTRS) who die due to contracting COVID-19. The current expiration date is December 31, 2022. Chapter 78 of the Laws of 2021 provides a member's statutory beneficiary with the accidental death benefit, consisting of a lifetime annuity of 50% of the member's most recent year's salary. Under current law the death benefit on account of an active member who dies in service not due to COVID-19 with three or more years of active service is a lump-sum benefit equal to three times

the member's most recent year's salary. An active member must have reported to work on or after March 1, 2020, and contracted COVID-19 within 45 days of reporting to work, and then died either due to COVID-19, or had COVID-19 as a contributing factor in the member's death.

The overall cost of this bill cannot be readily determined as the ultimate number of COVID-19 deaths cannot be determined at this time. It is estimated that it will provide on average an additional cost per affected member of 3 to 4 times salary. The average cost per individual member impacted in terms of the additional present value of liability, is estimated as follows:

Member age 30: \$230,000

Member age 40: \$310,000

Member age 50: \$320,000

The actual cost per member would be dependent on the member and beneficiary's age, tier, years of service, and salary. The costs above are determined based on averages, so the actual cost for a member could be higher or lower.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report and the 2021 Actuarial Assumptions Report.

The source of this estimate is Fiscal Note 2022-15 dated March 30, 2022 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

STATE OF NEW YORK

9209

IN SENATE

May 12, 2022

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to providing clarification for the creation of valid statutory short form and other powers of attorney

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

1 Section 1. Section 5-1501B of the general obligations law is amended  
2 by adding a new subdivision 5 to read as follows:

3 5. (a) Notwithstanding any other provision of this section, any statu-  
4 tory short form power of attorney and any statutory gift rider executed  
5 by a principal in the manner conforming with the law in effect at the  
6 time shall remain valid and enforceable pursuant to section 5-1504 of  
7 this title, even if signed by an agent at a later date, including but  
8 not limited to, being signed on or after June thirteenth, two thousand  
9 twenty-one.

10 (b) Any revocation of a power of attorney that was delivered to an  
11 agent shall remain in effect pursuant to this subdivision.

12 § 2. This act shall take effect immediately.

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

LBD15404-01-2

# SECTION II

Vetoed Legislation Affecting the  
New York State and Local Retirement System

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STATE OF NEW YORK

8558--A

IN SENATE

March 14, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 63-i to read as follows:

3 § 63-i. Disability benefits; certain disabilities. Notwithstanding any  
4 provision of this chapter or of any general, special or local law to the  
5 contrary, any member who is a correction officer, correction supervisor,  
6 deputy sheriff patrol or deputy sheriff patrol supervisor who is a  
7 member of the New York state and local employees' retirement system and  
8 contracts any condition of impairment of health caused by diseases of  
9 the heart, resulting in disability or death to such correction officer,  
10 correction supervisor, deputy sheriff patrol or deputy sheriff patrol  
11 supervisor, presently employed, and who shall have sustained such disa-  
12 bility while so employed, shall be presumptive evidence that such disa-  
13 bility was incurred in the performance and discharge of duty and the  
14 natural and proximate result of an accident, unless the contrary be  
15 proved by competent evidence; provided, however, that prior to entry  
16 into service, such correction officer, correction supervisor, deputy  
17 sheriff patrol or deputy sheriff patrol supervisor successfully passed a  
18 physical examination which failed to disclose evidence of any disease or  
19 other impairment of the heart.

20 § 2. The retirement and social security law is amended by adding a new  
21 section 605-g to read as follows:

22 § 605-g. Disability benefits; certain disabilities. Notwithstanding  
23 any provision of this chapter or of any general, special or local law to  
24 the contrary, any member who is a correction officer, correction super-

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

LBD08487-08-2



1 visor, deputy sheriff patrol or deputy sheriff patrol supervisor who is  
2 a member of the New York state and local employees' retirement system  
3 and contracts any condition of impairment of health caused by diseases  
4 of the heart, resulting in disability or death to such correction offi-  
5 cer, correction supervisor, deputy sheriff patrol or deputy sheriff  
6 patrol supervisor, presently employed, and who shall have sustained such  
7 disability while so employed, shall be presumptive evidence that such  
8 disability was incurred in the performance and discharge of duty and the  
9 natural and proximate result of an accident, unless the contrary be  
10 proved by competent evidence; provided, however, that prior to entry  
11 into service, such correction officer, correction supervisor, deputy  
12 sheriff patrol or deputy sheriff patrol supervisor successfully passed a  
13 physical examination which failed to disclose evidence of any disease or  
14 other impairment of the heart.

15 § 3. Notwithstanding any other provision of law to the contrary, none  
16 of the provisions of this act shall be subject to section 25 of the  
17 retirement and social security law.

18 § 4. This act shall take effect immediately.

FISCAL NOTE.-- Pursuant to Legislative Law, Section 50:

This bill would allow certain members of the New York State and Local Employees' Retirement system (NYSLERS) employed as correction officers, correction supervisors, deputy sheriff patrol, or deputy sheriff patrol supervisors to receive an accidental disability benefit if the member is impaired due to a condition of the heart as a result of an accident, in the performance of his or her duties, unless the contrary be proven by competent evidence. For members in Tiers 1 and 2, the annual benefit would be 3/4 of final average salary (FAS) less worker's compensation. For members in Tiers 3-6 who are covered under the provisions of Article 14-B of the Retirement and Social Security Law (RSSL), the annual benefit would be 2/3 of FAS less worker's compensation. For all other affected members in Tiers 3-6, the annual benefit would be 1/3 of FAS. The provisions of Section 25 of the RSSL will not apply.

Insofar as this bill affects the NYSLERS, if this legislation is enacted during the 2022 legislative session, it would lead to more disabilities being classified as "accidental". The cost of the revised benefit will depend upon the applicant's age, service, salary, plan, and benefit type otherwise payable.

However, we anticipate that few additional accidental disability retirements will be granted, and thus, the resulting costs are expected to be negligible.

All costs arising from this bill would be shared by the State of New York and all of the participating employers in the NYSLERS.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 11, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-31, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 112

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

7162--C

2021-2022 Regular Sessions

IN SENATE

June 3, 2021

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan

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

1 Section 1. Section 381-b of the retirement and social security law is  
2 amended by adding a new subdivision h to read as follows:  
3 h. Service credit for child care leave. Notwithstanding any other law,  
4 rule or regulation to the contrary, in computing the years of total  
5 creditable service in the division of state police full service credit  
6 shall be given and full allowance shall be made for any period of unpaid  
7 or reduced paid child care leave taken by such member and approved by  
8 the division of state police so long as such member returned to paid  
9 employment in the division of state police and provided such member, (1)  
10 files an application to such retirement system within ninety days  
11 following termination of the child care leave, (2) contributes to the  
12 retirement system an amount which such member would have contributed  
13 during such child care leave, together with interest thereon, based on  
14 the member's most recent twelve months of non-zero compensation imme-  
15 diately prior to the leave of absence and the member's mandatory  
16 contribution rate, and (3) such member shall have at least five years of  
17 credited service, not including service credit granted in this section,  
18 to be eligible to receive the credit authorized pursuant to this subdi-

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

LBD11474-16-2

1 vision. Service credit provided pursuant to this subdivision shall not  
2 exceed one year of credit for each period of approved child care leave.

3 § 2. All past service costs incurred in implementing the provisions of  
4 this act shall be borne by the state of New York.

5 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow any member of the New York State Police to be eligible for service credit with the New York State and Local Police and Fire Retirement System (NYSLPFRS) for any period of unpaid or reduced paid leave of absence, granted while such member was on approved family leave, so long as such member has returned to paid employment with the division of the state police. In addition, such member must have accrued at least five years of service credit to be eligible to purchase the additional service credit.

For the additional service to be credited, the member apply is required to contribute an amount equal to their mandatory contribution rate applied to the most recent 12 months of non-zero compensation.

This legislation would not be consistent with the Retirement System's policy that service credit may only be granted for service for which a salary has been paid.

If this bill is enacted during the 2022 legislative session, it is estimated that the past service cost will average approximately 25% of an affected member's most recent 12 months of compensation for each year of additional service that is credited. This cost will be reduced by any contributions required to be paid by the member, which are estimated to be 3% for Tier 5 members and 6% for Tier 6 members. The remaining cost will be borne by the State of New York.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined.

Since a member can apply for this service credit at any time prior to retirement, a precise cost cannot be determined until each member, as well as future members, applies for the service credit. Every year, a cost will be determined (and billed to the State of New York) based on those benefiting from this provision.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 18, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-147 Revised, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 114

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"



Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

8401

IN SENATE

February 23, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system

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

1 Section 1. Section 1209 of the retirement and social security law, as  
2 added by chapter 18 of the laws of 2012, is amended to read as follows:

3 § 1209. Final average salary. a. For members who first become members  
4 of the New York state and local police and fire retirement system on or  
5 after April first, two thousand twelve, a member's final average salary  
6 shall be equal to one-fifth of the highest total wages earned by such  
7 member during any continuous period of employment for which the member  
8 was credited with five years of service credit; provided, however, if  
9 the wages earned during any year of credited service included in the  
10 period used to determine final average salary exceeds the average of the  
11 wages of the previous four years of credited service by more than ten  
12 percent, the amount in excess of ten percent shall be excluded from the  
13 computation of final average salary. Wages in excess of the annual sala-  
14 ry paid to the governor pursuant to section three of article four of the  
15 state constitution shall be excluded from the computation of final aver-  
16 age salary for members who first become members of the New York state  
17 and local police and fire retirement system on or after April first, two  
18 thousand twelve.

19 b. Notwithstanding subdivision a of this section, members who first  
20 become members of the New York state and local police and fire retire-  
21 ment system on or after April first, two thousand twelve, and who retire  
22 from an employer which, prior to April first, two thousand twelve,  
23 elected by the adoption, filing and approval of a resolution in the  
24 manner provided by section three hundred thirty of this chapter to  
25 provide that final average salary shall mean the regular compensation  
26 earned from such participating employer by a member during the twelve  
27 months of actual service immediately preceding the date of such member's

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

LBD14134-02-2

1 retirement pursuant to subdivision f of section four hundred forty-three  
 2 of this chapter, shall continue to have his or her final average salary  
 3 computed with such twelve month final average salary unless such member  
 4 would otherwise be entitled to a greater benefit under subdivision a of  
 5 this section, in which case such greater benefit shall be payable.

6 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would change the calculation of final average salary (FAS) for Tier 6 members of the New York State and Local Police and Fire Retirement System (NYSLPFRS), provided the employer previously elected to provide the one-year FAS benefit to members of tiers 2 and 5 under Retirement and Social Security Law Section 443-f. Currently, a Tier 6 member's FAS is defined as the average wages earned over five consecutive years, with wages earned during any year limited to the average of the prior four years, wages increased by 10%. If this bill is enacted, a Tier 6 member's FAS will be defined as the earnings reported over the 12 months preceding the date of retirement. Wages exceeding the annual salary paid to the governor will continue to be excluded.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$3.1 million in the annual contributions of the affected employers for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected members change. As a percentage of payroll, we anticipate that the annual contributions of the affected employers for the fiscal year ending March 31, 2023 will increase as follows:

Plan	Rate Increase
Age-55	1.50%
25-Year	1.80%
25-Year w/ Additional 60ths	2.00%
20-Year	2.20%
20-Year w/ Additional 60ths	2.30%

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$15.2 million, which would be shared by the State of New York and all the participating employers in the NYSLPFRS, including those participating employers whose employees do not benefit from this proposal. This estimate is based on the assumption that payment will be made on February 1, 2023.

These estimated costs are based on 1,532 affected members employed by various participating employers in NYSLPFRS, with annual salary of approximately \$122 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 18, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-54, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 116

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

8584

IN SENATE

March 17, 2022

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county

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

1 Section 1. Section 63-g of the retirement and social security law, as  
2 added by chapter 714 of the laws of 2021, is amended to read as follows:  
3 § 63-g. Disability benefits; certain disabilities. Notwithstanding any  
4 provision of this chapter or of any general, special or local law to the  
5 contrary, any member who is a county fire marshal, fire marshal, super-  
6 vising fire marshal, division supervising fire marshal, assistant chief  
7 fire marshal, chief fire marshal, assistant fire marshal, or fire  
8 marshal trainee employed by Nassau county who contracts any condition of  
9 impairment of health caused by diseases of the heart, resulting in disa-  
10 bility or death to such county fire marshal, fire marshal, supervising  
11 fire marshal, division supervising fire marshal, assistant chief fire  
12 marshal, chief fire marshal, assistant fire marshal, or fire marshal  
13 trainee, presently employed, and who shall have sustained such disabili-  
14 ty while so employed, shall be presumptive evidence that such disability  
15 was incurred in the performance and discharge of duty and the natural  
16 and proximate result of an accident, unless the contrary be proved by  
17 competent evidence; provided, however, that prior to entry into service,  
18 such county fire marshal, fire marshal, supervising fire marshal, divi-  
19 sion supervising fire marshal, assistant chief fire marshal, chief fire  
20 marshal, assistant fire marshal, or fire marshal trainee successfully  
21 passed a physical examination which failed to disclose evidence of any  
22 disease or other impairment of the heart.  
23 § 2. The retirement and social security law is amended by adding a new  
24 section 63-i to read as follows:

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

LBD14538-02-2

1 § 63-i. Death benefits for fire marshals employed by Nassau county.

2 a. As used in this section, the term "fire marshal" shall mean a member  
 3 who is employed by Nassau county with a title of county fire marshal,  
 4 supervising fire marshal, fire marshal, assistant fire marshal, assist-  
 5 ant chief fire marshal, chief fire marshal, and division supervising  
 6 fire marshal.

7 b. Notwithstanding any provision of law to the contrary, where a fire  
 8 marshal would have been entitled to a service retirement benefit at the  
 9 time of his or her death and where his or her death occurs on or after  
 10 the effective date of this section, the beneficiary or beneficiaries may  
 11 elect to receive, in a lump sum, an amount payable which shall be equal  
 12 to the pension reserve that would have been established had the member  
 13 retired on the date of his or her death, or the value of the death bene-  
 14 fit and the reserve-for-increased-take-home-pay, if any, whichever is  
 15 greater.

16 § 3. Subdivisions a and j of section 89-w of the retirement and social  
 17 security law, as added by chapter 295 of the laws of 2007, are amended  
 18 to read as follows:

19 a. A member who serves as a county fire marshal, supervising fire  
 20 marshal, fire marshal, assistant fire marshal, assistant chief fire  
 21 marshal [~~or~~], chief fire marshal or division supervising fire marshal  
 22 and is employed by the county of Nassau shall be eligible to retire  
 23 pursuant to the provisions of this section. Such eligibility shall be an  
 24 alternative to the eligibility provisions available under any other plan  
 25 of this article to which such member is subject. The county executive of  
 26 the county of Nassau shall certify to the comptroller, periodically and  
 27 at such intervals of time as may be required of him or her and in such  
 28 fashion as may be prescribed, the identity of the eligible county fire  
 29 marshal, supervising fire marshals, fire marshals, assistant fire  
 30 marshals, assistant chief fire marshals [~~and~~], chief fire marshals and  
 31 division supervising fire marshals in his or her employ.

32 j. Notwithstanding any provision of this section or of any other  
 33 provision of law to the contrary, county fire marshals, supervising fire  
 34 marshals, fire marshals, assistant fire marshals, assistant chief fire  
 35 marshals [~~and~~], chief fire marshals and division supervising fire  
 36 marshals must serve five years within the Nassau county fire marshal  
 37 department after the effective date of this section before they are  
 38 eligible to retire under the provisions of the twenty-five year retire-  
 39 ment plan.

40 § 4. Subdivision a of section 445 of the retirement and social securi-  
 41 ty law, as amended by chapter 245 of the laws of 2021, is amended to  
 42 read as follows:

43 a. No member of a retirement system who is subject to the provisions  
 44 of this article shall retire without regard to age, exclusive of retire-  
 45 ment for disability, unless he or she is a police officer, an investi-  
 46 gator member of the New York city employees' retirement system, fire-  
 47 fighter, correction officer, a qualifying member as defined in section  
 48 eighty-nine-t, as added by chapter six hundred fifty-seven of the laws  
 49 of nineteen hundred ninety-eight, of this chapter, sanitation worker, a  
 50 special officer (including persons employed by the city of New York in  
 51 the title urban park ranger or associate urban park ranger), school  
 52 safety agent, campus peace officer or a taxi and limousine commission  
 53 inspector member of the New York city employees' retirement system or  
 54 the New York city board of education retirement system, a dispatcher  
 55 member of the New York city employees' retirement system, a police  
 56 communications member of the New York city employees' retirement system,

1 an EMT member of the New York city employees' retirement system, a depu-  
2 ty sheriff member of the New York city employees' retirement system, a  
3 correction officer of the Westchester county correction department as  
4 defined in section eighty-nine-e of this chapter or employed in Suffolk  
5 county as a peace officer, as defined in section eighty-nine-s, as added  
6 by chapter five hundred eighty-eight of the laws of nineteen hundred  
7 ninety-seven, of this chapter, employed in Suffolk county as a  
8 correction officer, as defined in section eighty-nine-f of this chapter,  
9 or employed in Nassau county as a correction officer, uniformed  
10 correction division personnel, sheriff, undersheriff or deputy sheriff,  
11 as defined in section eighty-nine-g of this chapter, or employed in  
12 Nassau county as an ambulance medical technician, an ambulance medical  
13 technician/supervisor or a member who performs ambulance medical techni-  
14 cian related services, or a police medic, police medic supervisor or a  
15 member who performs police medic related services, as defined in section  
16 eighty-nine-s, as amended by chapter five hundred seventy-eight of the  
17 laws of nineteen hundred ninety-eight, of this chapter, or employed in  
18 Nassau county as a peace officer, as defined in section eighty-nine-s,  
19 as added by chapter five hundred ninety-five of the laws of nineteen  
20 hundred ninety-seven, of this chapter, or employed in Albany county as a  
21 sheriff, undersheriff, deputy sheriff, correction officer or identifica-  
22 tion officer, as defined in section eighty-nine-h of this chapter or is  
23 employed in St. Lawrence county as a sheriff, undersheriff, deputy sher-  
24 iff or correction officer, as defined in section eighty-nine-i of this  
25 chapter or is employed in Orleans county as a sheriff, undersheriff,  
26 deputy sheriff or correction officer, as defined in section  
27 eighty-nine-l of this chapter or is employed in Jefferson county as a  
28 sheriff, undersheriff, deputy sheriff or correction officer, as defined  
29 in section eighty-nine-j of this chapter or is employed in Onondaga  
30 county as a deputy sheriff-jail division competitively appointed or as a  
31 correction officer, as defined in section eighty-nine-k of this chapter  
32 or is employed in a county which makes an election under subdivision j  
33 of section eighty-nine-p of this chapter as a sheriff, undersheriff,  
34 deputy sheriff or correction officer as defined in such section eighty-  
35 nine-p or is employed in Broome County as a sheriff, undersheriff, depu-  
36 ty sheriff or correction officer, as defined in section eighty-nine-m of  
37 this chapter or is a Monroe county deputy sheriff-court security, or  
38 deputy sheriff-jailor as defined in section eighty-nine-n, as added by  
39 chapter five hundred ninety-seven of the laws of nineteen hundred nine-  
40 ty-one, of this chapter or is employed in Greene county as a sheriff,  
41 undersheriff, deputy sheriff or correction officer, as defined in  
42 section eighty-nine-o of this chapter or is a traffic officer with the  
43 town of Elmira as defined in section eighty-nine-q of this chapter or is  
44 employed by Suffolk county as a park police officer, as defined in  
45 section eighty-nine-r of this chapter or is a peace officer employed by  
46 a county probation department as defined in section eighty-nine-t, as  
47 added by chapter six hundred three of the laws of nineteen hundred nine-  
48 ty-eight, of this chapter or is employed in Rockland county as a deputy  
49 sheriff-civil as defined in section eighty-nine-v of this chapter as  
50 added by chapter four hundred forty-one of the laws of two thousand one,  
51 or is employed in Rockland county as a superior correction officer as  
52 defined in section eighty-nine-v of this chapter as added by chapter  
53 five hundred fifty-six of the laws of two thousand one or is a paramedic  
54 employed by the police department in the town of Tonawanda and retires  
55 under the provisions of section eighty-nine-v of this chapter, as added  
56 by chapter four hundred seventy-two of the laws of two thousand one, or

1 is a county fire marshal, supervising fire marshal, fire marshal,  
 2 assistant fire marshal, assistant chief fire marshal [~~or~~], chief fire  
 3 marshal, division supervising fire marshal or fire marshal trainee  
 4 employed by the county of Nassau as defined in section eighty-nine-w of  
 5 this chapter and is in a plan which permits immediate retirement upon  
 6 completion of a specified period of service without regard to age.  
 7 Except as provided in subdivision c of section four hundred forty-five-a  
 8 of this article, subdivision c of section four hundred forty-five-b of  
 9 this article, subdivision c of section four hundred forty-five-c of this  
 10 article, subdivision c of section four hundred forty-five-d of this  
 11 article, subdivision c of section four hundred forty-five-e of this  
 12 article, subdivision c of section four hundred forty-five-f of this  
 13 article and subdivision c of section four hundred forty-five-h of this  
 14 article, a member in such a plan and such an occupation, other than a  
 15 police officer or investigator member of the New York city employees'  
 16 retirement system or a firefighter, shall not be permitted to retire  
 17 prior to the completion of twenty-five years of credited service;  
 18 provided, however, if such a member in such an occupation is in a plan  
 19 which permits retirement upon completion of twenty years of service  
 20 regardless of age, he or she may retire upon completion of twenty years  
 21 of credited service and prior to the completion of twenty-five years of  
 22 service, but in such event the benefit provided from funds other than  
 23 those based on such a member's own contributions shall not exceed two  
 24 per centum of final average salary per each year of credited service.

25 § 5. The retirement and social security law is amended by adding a new  
 26 section 508-c to read as follows:

27 § 508-c. Death benefits for fire marshals employed by Nassau county.  
 28 a. As used in this section, the term "fire marshal" shall mean a member  
 29 who is employed by Nassau county with a title of county fire marshal,  
 30 supervising fire marshal, fire marshal, assistant fire marshal, assist-  
 31 ant chief fire marshal, chief fire marshal, or division supervising fire  
 32 marshal.

33 b. Notwithstanding any provision of law to the contrary, where a fire  
 34 marshal would have been entitled to a service retirement benefit at the  
 35 time of his or her death and where his or her death occurs on or after  
 36 the effective date of this section, the beneficiary or beneficiaries may  
 37 elect to receive, in a lump sum, an amount payable which shall be equal  
 38 to the pension reserve that would have been established had the member  
 39 retired on the date of his or her death, or the value of the death bene-  
 40 fit and the reserve-for-increased-take-home-pay, if any, whichever is  
 41 greater.

42 § 6. Subdivision s of section 603 of the retirement and social securi-  
 43 ty law, as added by chapter 295 of the laws of 2007, is amended to read  
 44 as follows:

45 s. The service retirement benefit specified in section six hundred  
 46 four of this article shall be payable to members with twenty-five years  
 47 of creditable service, without regard to age, who are employed in the  
 48 county of Nassau as a county fire marshal, supervising fire marshal,  
 49 fire marshal, assistant fire marshal, assistant chief fire marshal [~~or~~],  
 50 chief fire marshal or division supervising fire marshal as defined in  
 51 section eighty-nine-w of this chapter if: (i) such members have met the  
 52 minimum service requirements upon retirement, and (ii) in the case of a  
 53 member subject to the provisions of article fourteen of this chapter,  
 54 such member files an election therefor which provides that he or she  
 55 will be subject to the provisions of this article and to none of the  
 56 provisions of such article fourteen. Such election, which shall be

1 irrevocable, shall be in writing, duly executed and shall be filed with  
2 the comptroller within one year of the effective date of this subdivi-  
3 sion or within one year after entering the employment with such county  
4 upon which eligibility is based, whichever comes later. For the purposes  
5 of this subdivision, the term "creditable service" shall have the mean-  
6 ing as so defined in both sections eighty-nine-w and six hundred one of  
7 this chapter.

8 § 7. Subdivision t of section 604 of the retirement and social securi-  
9 ty law, as added by chapter 295 of the laws of 2007, is amended to read  
10 as follows:

11 t. The early service retirement benefit for a member who is employed  
12 in the county of Nassau as a county fire marshal, supervising fire  
13 marshal, fire marshal, assistant fire marshal, assistant chief fire  
14 marshal ~~[or]~~, chief fire marshal or division supervising fire marshal as  
15 defined in section eighty-nine-w of this chapter shall be a pension  
16 equal to one-fiftieth of final average salary times years of credited  
17 service at the completion of twenty-five years of service as such county  
18 fire marshal, supervising fire marshal, fire marshal, assistant fire  
19 marshal, assistant chief fire marshal ~~[or]~~, chief fire marshal or divi-  
20 sion supervising fire marshal, but not exceeding one-half of his or her  
21 final average salary.

22 § 8. The opening paragraph of subdivision a and subdivision g of  
23 section 605-d of the retirement and social security law, as added by  
24 chapter 416 of the laws of 2013, are amended to read as follows:

25 A member employed as a chief fire marshal, assistant chief fire  
26 marshal, division supervising fire marshal, supervising fire marshal,  
27 fire marshal or fire marshal trainee in Nassau county shall be entitled  
28 to an accidental disability retirement allowance if, at the time appli-  
29 cation therefor is filed, such member is:

30 g. Notwithstanding any other provision of law, this section shall  
31 apply to chief fire marshals, assistant chief fire marshals, division  
32 supervising fire marshals, supervising fire marshals, fire marshals and  
33 fire marshal trainees in Nassau county who were hired on or after July  
34 twenty-seventh, nineteen hundred seventy-six.

35 § 9. Section 605-f of the retirement and social security law, as added  
36 by chapter 714 of the laws of 2021, is amended to read as follows:

37 § 605-f. Disability benefits; certain disabilities. Notwithstanding  
38 any provision of this chapter or of any general, special or local law to  
39 the contrary, any member who is a county fire marshal, fire marshal,  
40 supervising fire marshal, division supervising fire marshal, assistant  
41 chief fire marshal, chief fire marshal, assistant fire marshal, or fire  
42 marshal trainee employed by Nassau county who contracts any condition of  
43 impairment of health caused by diseases of the heart, resulting in disa-  
44 bility or death to such county fire marshal, fire marshal, supervising  
45 fire marshal, division supervising fire marshal, assistant chief fire  
46 marshal, chief fire marshal, assistant fire marshal, or fire marshal  
47 trainee, presently employed, and who shall have sustained such disabili-  
48 ty while so employed, shall be presumptive evidence that such disability  
49 was incurred in the performance and discharge of duty and the natural  
50 and proximate result of an accident, unless the contrary be proved by  
51 competent evidence; provided, however, that prior to entry into service,  
52 such county fire marshal, fire marshal, supervising fire marshal, divi-  
53 sion supervising fire marshal, assistant chief fire marshal, chief fire  
54 marshal, assistant fire marshal, or fire marshal trainee successfully  
55 passed a physical examination which failed to disclose evidence of any  
56 disease or other impairment of the heart.

1 § 10. The retirement and social security law is amended by adding a  
2 new section 606-c to read as follows:

3 § 606-c. Death benefits for fire marshals employed by Nassau county.

4 a. As used in this section, the term "fire marshal" shall mean a member  
5 who is employed by Nassau county with a title of county fire marshal,  
6 supervising fire marshal, fire marshal, assistant fire marshal, assist-  
7 ant chief fire marshal, chief fire marshal, or division supervising fire  
8 marshal.

9 b. Notwithstanding any provision of law to the contrary, where a fire  
10 marshal would have been entitled to a service retirement benefit at the  
11 time of his or her death and where his or her death occurs on or after  
12 the effective date of this section, the beneficiary or beneficiaries may  
13 elect to receive, in a lump sum, an amount payable which shall be equal  
14 to the pension reserve that would have been established had the member  
15 retired on the date of his or her death, or the value of the death bene-  
16 fit and the reserve-for-increased-take-home-pay, if any, whichever is  
17 greater.

18 § 11. Subdivision a of section 607-j of the retirement and social  
19 security law, as added by chapter 524 of the laws of 2021, is amended to  
20 read as follows:

21 a. The county of Nassau shall make the benefits provided herein avail-  
22 able to county fire marshals, chief fire marshals, assistant chief fire  
23 marshals, division supervising fire marshals, supervising fire marshals,  
24 fire marshals, assistant fire marshals and fire marshal trainees in the  
25 employ of Nassau county.

26 § 12. All past service costs associated with implementing the  
27 provisions of this act shall be borne by the county of Nassau and may be  
28 amortized over a period of ten years.

29 § 13. Notwithstanding any provision of law to the contrary, none of  
30 the provisions of this act shall be subject to the appropriation  
31 requirement of section twenty-five of the retirement and social security  
32 law.

33 § 14. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would modify the in-service death benefit for retirement eligible tiers 3 through 6 members of the New York State and Local Employees' Retirement System who are employed by Nassau County in certain fire marshal job titles. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this legislation is enacted during the 2022 legislative session, we anticipate that there will be an increase in the annual contributions of Nassau County of approximately \$5,900 for the fiscal year ending March 31, 2023. In the future, this cost will vary as the billing rates and salaries of those affected change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$58,700 which will be borne by Nassau County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Nassau County elects to amortize this cost over a 10-year period, the cost for the first year would be \$7,500.

These estimated costs are based on 49 affected members employed by Nassau County, with annual salary of approximately \$5.4 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 10, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-76, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 117

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"



Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

6093--A

2021-2022 Regular Sessions

IN SENATE

April 8, 2021

Introduced by Sens. GOUNARDES, MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system

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

1 Section 1. Subdivision 2 of section 363-a of the retirement and social  
2 security law, as amended by chapter 437 of the laws of 2016, is amended  
3 to read as follows:

4 2. Notwithstanding any provision of this chapter or of any general,  
5 special, or local law to the contrary, any condition of impairment of  
6 health caused by diseases of the heart, resulting in disability or death  
7 to a police officer, presently employed, and who shall have sustained  
8 such disability while so employed, shall be presumptive evidence that it  
9 was incurred in the performance and discharge of duty and the natural  
10 and proximate result of an accident, unless the contrary be proved by  
11 competent evidence.

12 § 2. The retirement and social security law is amended by adding a new  
13 section 809 to read as follows:

14 § 809. Effect and rebuttal of certain medical presumptions pertaining  
15 to diseases of the heart. a. This section shall apply to certain appli-  
16 cations for disability retirement allowances made by or on behalf of a  
17 member of the New York state and local employees' retirement system or  
18 the New York state and local police and fire retirement system. It  
19 shall apply only to applications that are subject under this chapter to  
20 a provision that any condition of impairment of health caused by a

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

LBD10747-05-2

1 disease of the heart, resulting in disability, shall be presumptive  
 2 evidence that such disability was incurred in the performance and  
 3 discharge of duty and the natural and proximate result of an accident.

4 b. Notwithstanding any other provision of law to the contrary an  
 5 application for an accidental disability retirement allowance that is  
 6 based on a permanent incapacity caused by a disease of the heart, shall  
 7 not be required to allege or establish:

8 (1) that the member sustained an accident or other incident related to  
 9 the performance and discharge of duty; or

10 (2) that notice was provided thereof.

11 c. Notwithstanding any other provision of law to the contrary, the  
 12 presumptions referred to in subdivision a of this section may be  
 13 rebutted only by competent evidence that the disability is not the  
 14 natural and proximate result of the performance and discharge of duty.

15 § 3. The amendment made to subdivision 2 of section 363-a of the  
 16 retirement and social security law by section one of this act shall not  
 17 affect, impair or invalidate any temporary right, privilege or benefit  
 18 conferred pursuant to the provisions of a general, special or local law  
 19 (other than pursuant to articles 14 and 15 of the retirement and social  
 20 security law) for any member of a public retirement system or pension  
 21 plan funded by the state or one of its political subdivisions, nor shall  
 22 any amendment thereto affect the application of such provisions as  
 23 extended by the provisions of section 480 of the retirement and social  
 24 security law.

25 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend the Retirement and Social Security Law (RSSL) to

1) Eliminate certain eligibility requirements for awarding accidental disability benefits, when the disability is related to diseases of the heart, for members in the New York State and Local Employees' Retirement System (ERS) and the New York State and Local Police and Fire Retirement System (PFRS). Accidental disability benefits would be granted even where

a. the member did not sustain an accident,

b. the member's incapacitation is unrelated to any accident, or

c. the member failed to provide notice thereof.

The heart presumption could continue to be rebutted by competent evidence that the disability is not the result of the performance and discharge of duty.

2) Increase disability benefits payable to police officers in PFRS, who become incapacitated due to diseases of the heart, by providing an accidental disability benefit equal to 75% of salary less workers' compensation. Currently, police officers are eligible for a performance-of-duty (POD) disability benefit equal to 50% of salary less workers' compensation.

3) Increase the death benefits payable on behalf of a deceased police officer in PFRS, whose death results from diseases of the heart, by providing the special accidental death benefit equal to more than 100% of salary less workers' compensation and social security benefits payable to eligible beneficiary(ies). Currently the death benefit would be the continuance afforded under the POD disability retirement.

Insofar as this bill will affect the New York State and Local Retirement System (NYSLRS), more accidental disability benefits and accidental death benefits would be granted. The cost of the revised benefit will depend upon the applicant's age, service, salary, plan, and benefit type otherwise payable.

The number of retirees who could be affected by this legislation cannot be readily determined. However, every active member of PFRS will be covered, as well as members of ERS who are Uniformed Court Peace Officers in the Unified Court System.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$5.6 million in the annual contributions to NYSLRS for the fiscal year ending March 31, 2023. This cost would be shared by the State of New York (the State) and local participating employers of PFRS as follows:

a. \$2.3 million borne annually by the State (\$900,000 to PFRS and \$1.4 million to ERS), and

b. \$3.3 million borne by the local participating employers in PFRS.

In future years, these annual costs will vary as the salary of affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost to ERS of approximately \$13.2 million which will be borne by the State as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2023.

Further, we anticipate that the number of accidental disability applications will result in a large increase in the administrative cost to process these applications and litigate anticipated disputes.

Estimated costs arising in PFRS are based upon 31,922 members with an approximate salary of \$3.7 billion as of March 31, 2021. Estimated costs arising in ERS are based upon 6,531 members with an approximate salary of \$608 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 4, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-39, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 123

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL



STATE OF NEW YORK

8399

IN SENATE

February 23, 2022

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system

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

1 Section 1. Subdivision a of section 605-a of the retirement and social  
2 security law, as amended by chapter 489 of the laws of 2008, is amended  
3 to read as follows:

4 a. A member employed as a uniformed court officer or peace officer in  
5 the unified court system shall be entitled to an accidental disability  
6 retirement allowance if, at the time application therefor is filed, such  
7 member is:

8 1. Physically or mentally incapacitated for performance of duty as the  
9 natural and proximate result of an accident, not caused by his or her  
10 own willful negligence, sustained in such service and while actually a  
11 member of the retirement system; and

12 2. Actually in service upon which his or her membership is based.  
13 However, in a case where a member is discontinued from service subse-  
14 quent to the accident, either voluntarily or involuntarily, and provided  
15 that the member meets the requirements of paragraph one of this subdivi-  
16 sion, application may be made either (a) by a vested member incapaci-  
17 tated as the result of a qualifying World Trade Center condition as  
18 defined in section two of this chapter at any time, or (b) not later  
19 than two years after the member is first discontinued from service.

20 For purposes of this subdivision, a member who is injured as the  
21 result of a physical assault by an assailant, suffered while in service  
22 shall be entitled to accidental disability retirement unless the contra-  
23 ry can be proven by competent evidence under this section.

24 § 2. Notwithstanding any other provision of law to the contrary, none  
25 of the provisions of this act shall be subject to section 25 of the  
26 retirement and social security law.

27 § 3. This act shall take effect immediately.

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

LBD09752-04-2

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Tier 3, 4, 5 and 6 uniformed court officers and peace officers in the unified court system to be eligible for an accidental disability for injuries sustained in the performance of duty as the result of a physical assault by an assailant, unless the contrary be proven by competent evidence. The benefit for an accidental disability would be 75% of final average salary less worker's compensation.

If this bill is enacted, the cost will vary depending on the members' age, service, tier and salary. It is estimated that the average per person cost will be approximately three (3) times salary.

The exact number of members who would be affected by this legislation cannot be readily determined. In all likelihood, very few members would be affected.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 6, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-44, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 131

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

8448

IN SENATE

March 2, 2022

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county

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

1 Section 1. Section 89-e of the retirement and social security law is amended by adding a new subdivision k to read as follows:

2 k. Notwithstanding any provision of law to the contrary, where a  
3 correction officer would have been entitled to retire pursuant to this  
4 section at the time of his or her death and where his or her death  
5 occurs on or after the effective date of the chapter of the laws of two  
6 thousand twenty-two that added this subdivision, the beneficiary or  
7 beneficiaries may elect to receive, in a lump sum, an amount payable  
8 which shall be equal to the pension reserve that would have been estab-  
9 lished had the member retired on the date of his or her death, or the  
10 value of the death benefit and the reserve-for-increased-take-home-pay,  
11 if any, whichever is greater.

12 § 2. The retirement and social security law is amended by adding a new section 606-c to read as follows:

13 § 606-c. Death benefits for correction officers employed by Westches-  
14 ter county. a. As used in this section, the term "correction officer"  
15 shall mean a person employed by the Westchester county correction  
16 department with a title of correction officer, correction officer-ser-  
17 geant, correction officer-captain, assistant warden, associate warden or  
18 warden.

19 b. Notwithstanding any provision of law to the contrary, where a  
20 correction officer would have been entitled to a service retirement  
21 benefit at the time of his or her death and where his or her death  
22 occurs on or after the effective date of the chapter of the laws of two  
23 thousand twenty-two that added this section, the beneficiary or benefi-  
24 ciaries may elect to receive, in a lump sum, an amount payable which  
25  
26

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

LBD14541-02-2

1 shall be equal to the pension reserve that would have been established  
 2 had the member retired on the date of his or her death, or the value of  
 3 the death benefit and the reserve-for-increased-take-home-pay, if any,  
 4 whichever is greater.

5 § 3. All past service costs associated with implementing the  
 6 provisions of this act shall be borne by the county of Westchester and  
 7 may be amortized over a period of ten years.

8 § 4. Notwithstanding any other provision of law to the contrary, none  
 9 of the provisions of this act shall be subject to the appropriation  
 10 requirement of section 25 of the retirement and social security law.

11 § 5. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would modify the in-service death benefit for tiers 2 through 6 Westchester County correction officers. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$93,000 in the annual contributions of Westchester County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$681,000 which will be borne by Westchester County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023. If Westchester County elects to amortize this cost over a 10-year period, the cost for the first year including interest would be \$87,000.

These estimated costs are based on 776 affected members employed by the State of New York, with annual salary of approximately \$88.3 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 25, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-77 Revised, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 132

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:



"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

8477

IN SENATE

March 4, 2022

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 383-e to read as follows:  
3 § 383-e. Retirement of officers of state law enforcement; twenty year  
4 retirement plan. a. Membership. Every non-seasonally appointed sworn  
5 member or officer of the division of law enforcement in the department  
6 of environmental conservation, a forest ranger in the service of the  
7 department of environmental conservation, which shall mean a person who  
8 serves on a full-time basis in the title of forest ranger I, forest  
9 ranger II, forest ranger III, assistant superintendent of forest fire  
10 control, superintendent of forest fire control or any successor titles  
11 or new titles in the forest ranger title series in the department of  
12 environmental conservation, a police officer in the department of envi-  
13 ronmental conservation, the regional state park police, and university  
14 police officers who enter or re-enter service in any such title shall be  
15 covered by the provisions of this section, and every member described in  
16 this subdivision in such service on or before one year prior to the  
17 effective date of this section may elect to be covered by the provisions  
18 of this section by filing an election therefor with the comptroller. To  
19 be effective, such election must be duly executed and acknowledged on a  
20 form prepared by the comptroller for that purpose.  
21 b. Retirement allowance. A member, covered by the provisions of this  
22 section at the time of retirement, shall be entitled to retire upon  
23 completion of twenty years of total creditable service in such titles,  
24 and shall retire upon the attainment of the mandatory retirement age  
25 prescribed by this section, by filing an application therefor in a  
26 manner similar to that provided in section three hundred seventy of this  
27 article.

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

LBD04278-05-2

1 1. Upon completion of twenty years of such service and upon retire-  
2 ment, each such member shall receive a pension which, together with an  
3 annuity for such years of service as provided in paragraph four of this  
4 subdivision, shall be sufficient to provide him with a retirement allow-  
5 ance of one-half of his final average salary.

6 2. Upon completion of more than twenty years of such service and upon  
7 retirement, each such member shall receive, for each year of service in  
8 excess of twenty, an additional pension which, together with an annuity  
9 for each such year as provided in paragraph four of this subdivision,  
10 shall be equal to one-sixtieth of his final average salary, provided,  
11 however, that the pension payable pursuant to this section shall not  
12 exceed three-quarters of final average salary.

13 3. Upon attainment of the mandatory retirement age without completion  
14 of twenty years of such service, each such member shall receive a  
15 pension which, together with an annuity for such years of service as  
16 provided in paragraph four of this subdivision, shall be equal to one-  
17 fortieth of his final average salary for each year of creditable service  
18 in such titles. Every such member shall also be entitled to an addi-  
19 tional pension equal to the pension for any creditable service rendered  
20 while not an employee in such titles as provided under paragraphs three  
21 and four of subdivision a of section three hundred seventy-five of this  
22 article. This latter pension shall not increase the total allowance to  
23 more than one-half of his final average salary.

24 4. The annuity provided under paragraphs one, two and three of this  
25 subdivision shall be the actuarial equivalent, at the time of retire-  
26 ment, of the member's accumulated contributions based upon the rate of  
27 contribution fixed under section three hundred eighty-three of this  
28 title and upon the salaries earned while in such service. Such annuity  
29 shall be computed as it would be if it were not reduced by the actuarial  
30 equivalent of any outstanding loan nor by reason of the member's  
31 election to decrease his contributions toward retirement in order to  
32 apply the resulting amount toward payment of contributions for old age  
33 and survivor's insurance. Any accumulated contributions in excess of the  
34 amount required to provide the annuity computed pursuant to this para-  
35 graph shall be used to increase the member's retirement allowance.

36 c. Credit for previous service. In computing the years of total cred-  
37 itable service for each member described herein, full credit shall be  
38 given and full allowance shall be made for service rendered as a police  
39 officer or state university peace officer or member of a police force or  
40 department of a state park authority or commission or an organized  
41 police force or department of a county, city, town, village, police  
42 district, authority or other participating employer or member of the  
43 capital police force in the office of general services while a member of  
44 the New York state and local police and fire retirement system, of the  
45 New York state and local employees' retirement system or of the New York  
46 city police pension fund and for all service for which full credit has  
47 been given and full allowance made pursuant to the provisions of section  
48 three hundred seventy-five-h of this article provided, however, that  
49 full credit pursuant to the provisions of such section shall mean only  
50 such service as would be creditable service pursuant to the provisions  
51 of section three hundred eighty-three, three hundred eighty-three-a,  
52 three hundred eighty-three-b, as added by chapter six hundred seventy-  
53 four of the laws of nineteen hundred eighty-six, three hundred eighty-  
54 three-b, as added by chapter six hundred seventy-seven of the laws of  
55 nineteen hundred eighty-six, three hundred eighty-three-c or three  
56 hundred eighty-three-d of this title or pursuant to the provisions of

1 title thirteen of the administrative code of the city of New York for  
2 any member contributing pursuant to this section who transferred to the  
3 jurisdiction of the department of environmental conservation including  
4 but not limited to environmental conservation officers and forest  
5 rangers, regional state park police or state university of New York  
6 peace officers.

7 d. Retirement for cause. Upon receipt of a certificate from the head  
8 of the entity where such member is employed or his or her designee, a  
9 member as described in subdivision a of this section, who has accrued  
10 twenty-five or more years of service credit under this section shall be  
11 retired on the first day of the second month next succeeding the date  
12 such certificate was filed with the comptroller.

13 e. Credit for military service. In computing the years of total cred-  
14 itable service full credit shall be given and full allowance shall be  
15 made for service of such member in war after world war I as defined in  
16 section three hundred two of this article, provided such member at the  
17 time of his or her entrance into the armed forces was in police service  
18 as defined in subdivision eleven of section three hundred two of this  
19 article.

20 f. Transfer of membership to employees' retirement system. Any member  
21 currently enrolled pursuant to this section and who previously trans-  
22 ferred service credit from the New York state and local employees'  
23 retirement system to the New York state and local police and fire  
24 retirement system, may elect to transfer such previously transferred  
25 service credit back to the New York state and local employees' retire-  
26 ment system, and such member shall have the option to retroactively  
27 transfer his or her membership into such employees' retirement system.

28 g. The provisions of this section shall be controlling, notwithstand-  
29 ing any provision of this article to the contrary.

30 § 2. All past service costs associated with implementing the  
31 provisions of this act shall be borne by the state of New York and may  
32 be amortized over a period of ten years.

33 § 3. This act shall take effect on the sixtieth day after it shall  
34 have become a law.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow any non-seasonally appointed sworn member or officer of the division of law enforcement, a police officer, or forest ranger in the department of environmental conservation; a regional state park police officer; or a university police officer to become covered by the provisions of a special 20-year retirement plan, which will provide a benefit of one-half of final average salary upon retirement, and an additional benefit of one-sixtieth of final average salary for each year of creditable service in excess of 20 years, not to exceed 12 such years.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$4.5 million in the annual contributions of the State of New York for the fiscal year ending March 31, 2023.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$55.6 million which will be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2023. If the State of New York elects to amortize this cost over a 10-year period, the cost for the first year including interest would be \$7.10 million.

These estimated costs are based on 1,168 affected members employed by the State of New York, with annual salary of approximately \$106 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 10, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-65, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 133

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"



Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

8559

IN SENATE

March 14, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs

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

1 Section 1. Paragraph 3 of subdivision e of section 556 of the retire-  
2 ment and social security law, as added by chapter 165 of the laws of  
3 1995, is amended to read as follows:  
4 3. A pension of two-thirds of his or her final average salary;  
5 provided, however, a deputy sheriff shall receive a pension of three-  
6 quarters of his or her final average salary if such deputy sheriff is  
7 employed by an employer that has elected to provide such benefit to  
8 deputy sheriffs. The payment of such pension shall be subject to the  
9 provisions of section [~~three hundred~~] sixty-four of this chapter.  
10 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow employers to elect to provide improved accidental disability pensions to deputy sheriffs who are covered by the provisions of Article 14-B of the Retirement and Social Security Law. The benefit for an accidental disability would be three-quarters of final average salary minus workers' compensation. The current benefit is two-thirds of final average salary minus workers' compensation.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase in the annual contributions of electing counties of 0.2% of the compensation of their deputy sheriffs for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected deputy sheriffs change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately 1.0% of the compensation of such deputy sheriffs which will be borne by the electing county as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

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

LBD08520-04-2

These estimated costs are based on 2,790 deputy sheriffs with annual salary of approximately \$251.8 million as of March 31, 2021.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 25, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-72, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 135

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

8682

IN SENATE

March 29, 2022

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 89-x to read as follows:

3 § 89-x. Retirement of deputy sheriffs-civil in Monroe county. a. A  
4 member employed in Monroe county shall be eligible to retire pursuant to  
5 the provisions of section eighty-nine-p of this article if the county of  
6 Monroe elects to make the benefits provided in section eighty-nine-p of  
7 this article available to the sheriff, undersheriffs, deputy sheriffs  
8 and correction officers of such county and if he or she is a deputy  
9 sheriff-civil of such county. Such eligibility shall be an alternative  
10 to the eligibility provisions available under any other plan of this  
11 article to which such member is subject.

12 b. The term "creditable service" shall include any and all services  
13 performed as a deputy sheriff-civil of Monroe county and other credita-  
14 ble service as defined in subdivisions d and e of section eighty-nine-p  
15 of this article.

16 c. Monroe county is authorized to adopt a resolution on or before  
17 December thirty-first, two thousand twenty-three to extend the  
18 provisions of this section to those members defined in subdivision a of  
19 this section. A certified copy of such resolution must be filed with the  
20 comptroller and may contain an election that any past service cost be  
21 paid over either a five-year or ten-year period. Such resolution shall  
22 be accompanied by the affidavit of the chief executive officer of Monroe  
23 county that the county has received an estimate from the retirement  
24 system of the cost of the benefit provided by this section.

25 d. The sheriff shall certify to the comptroller, periodically and at  
26 such intervals of time as may be required of him or her and in such  
27 fashion as may be prescribed, the identity of the deputy sheriffs-civil  
28 of Monroe county.

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

LBD13416-03-2

1 e. Unless otherwise indicated in this section, the provisions of  
2 section eighty-nine-p of this article shall be controlling.

3 § 2. Subdivision a of section 445 of the retirement and social securi-  
4 ty law, as amended by chapter 245 of the laws of 2021, is amended to  
5 read as follows:

6 a. No member of a retirement system who is subject to the provisions  
7 of this article shall retire without regard to age, exclusive of retire-  
8 ment for disability, unless he or she is a police officer, an investi-  
9 gator member of the New York city employees' retirement system, fire-  
10 fighter, correction officer, a qualifying member as defined in section  
11 eighty-nine-t, as added by chapter six hundred fifty-seven of the laws  
12 of nineteen hundred ninety-eight, of this chapter, sanitation worker, a  
13 special officer (including persons employed by the city of New York in  
14 the title urban park ranger or associate urban park ranger), school  
15 safety agent, campus peace officer or a taxi and limousine commission  
16 inspector member of the New York city employees' retirement system or  
17 the New York city board of education retirement system, a dispatcher  
18 member of the New York city employees' retirement system, a police  
19 communications member of the New York city employees' retirement system,  
20 an EMT member of the New York city employees' retirement system, a depu-  
21 ty sheriff member of the New York city employees' retirement system, a  
22 correction officer of the Westchester county correction department as  
23 defined in section eighty-nine-e of this chapter or employed in Suffolk  
24 county as a peace officer, as defined in section eighty-nine-s, as added  
25 by chapter five hundred eighty-eight of the laws of nineteen hundred  
26 ninety-seven, of this chapter, employed in Suffolk county as a  
27 correction officer, as defined in section eighty-nine-f of this chapter,  
28 or employed in Nassau county as a correction officer, uniformed  
29 correction division personnel, sheriff, undersheriff or deputy sheriff,  
30 as defined in section eighty-nine-g of this chapter, or employed in  
31 Nassau county as an ambulance medical technician, an ambulance medical  
32 technician/supervisor or a member who performs ambulance medical techni-  
33 cian related services, or a police medic, police medic supervisor or a  
34 member who performs police medic related services, as defined in section  
35 eighty-nine-s, as amended by chapter five hundred seventy-eight of the  
36 laws of nineteen hundred ninety-eight, of this chapter, or employed in  
37 Nassau county as a peace officer, as defined in section eighty-nine-s,  
38 as added by chapter five hundred ninety-five of the laws of nineteen  
39 hundred ninety-seven, of this chapter, or employed in Albany county as a  
40 sheriff, undersheriff, deputy sheriff, correction officer or identifica-  
41 tion officer, as defined in section eighty-nine-h of this chapter or is  
42 employed in St. Lawrence county as a sheriff, undersheriff, deputy sher-  
43 iff or correction officer, as defined in section eighty-nine-i of this  
44 chapter or is employed in Orleans county as a sheriff, undersheriff,  
45 deputy sheriff or correction officer, as defined in section  
46 eighty-nine-l of this chapter or is employed in Jefferson county as a  
47 sheriff, undersheriff, deputy sheriff or correction officer, as defined  
48 in section eighty-nine-j of this chapter or is employed in Onondaga  
49 county as a deputy sheriff-jail division competitively appointed or as a  
50 correction officer, as defined in section eighty-nine-k of this chapter  
51 or is employed in a county which makes an election under subdivision j  
52 of section eighty-nine-p of this chapter as a sheriff, undersheriff,  
53 deputy sheriff or correction officer as defined in such section eighty-  
54 nine-p or is employed in Broome County as a sheriff, undersheriff, depu-  
55 ty sheriff or correction officer, as defined in section eighty-nine-m of  
56 this chapter or is a Monroe county deputy sheriff-court security, or



1 deputy sheriff-jailor as defined in section eighty-nine-n, as added by  
2 chapter five hundred ninety-seven of the laws of nineteen hundred nine-  
3 ty-one, of this chapter or is employed in Greene county as a sheriff,  
4 undersheriff, deputy sheriff or correction officer, as defined in  
5 section eighty-nine-o of this chapter or is a traffic officer with the  
6 town of Elmira as defined in section eighty-nine-q of this chapter or is  
7 employed by Suffolk county as a park police officer, as defined in  
8 section eighty-nine-r of this chapter or is a peace officer employed by  
9 a county probation department as defined in section eighty-nine-t, as  
10 added by chapter six hundred three of the laws of nineteen hundred nine-  
11 ty-eight, of this chapter or is employed in Rockland county as a deputy  
12 sheriff-civil as defined in section eighty-nine-v of this chapter as  
13 added by chapter four hundred forty-one of the laws of two thousand one,  
14 or is employed in Rockland county as a superior correction officer as  
15 defined in section eighty-nine-v of this chapter as added by chapter  
16 five hundred fifty-six of the laws of two thousand one or is a paramedic  
17 employed by the police department in the town of Tonawanda and retires  
18 under the provisions of section eighty-nine-v of this chapter, as added  
19 by chapter four hundred seventy-two of the laws of two thousand one, or  
20 is a county fire marshal, supervising fire marshal, fire marshal,  
21 assistant fire marshal, assistant chief fire marshal or chief fire  
22 marshal employed by the county of Nassau as defined in section eighty-  
23 nine-w of this chapter or is employed in Monroe county as a deputy sher-  
24 iff-civil as defined in section eighty-nine-x of this chapter and is in  
25 a plan which permits immediate retirement upon completion of a specified  
26 period of service without regard to age. Except as provided in subdivi-  
27 sion c of section four hundred forty-five-a of this article, subdivision  
28 c of section four hundred forty-five-b of this article, subdivision c of  
29 section four hundred forty-five-c of this article, subdivision c of  
30 section four hundred forty-five-d of this article, subdivision c of  
31 section four hundred forty-five-e of this article, subdivision c of  
32 section four hundred forty-five-f of this article and subdivision c of  
33 section four hundred forty-five-h of this article, a member in such a  
34 plan and such an occupation, other than a police officer or investigator  
35 member of the New York city employees' retirement system or a firefight-  
36 er, shall not be permitted to retire prior to the completion of twenty-  
37 five years of credited service; provided, however, if such a member in  
38 such an occupation is in a plan which permits retirement upon completion  
39 of twenty years of service regardless of age, he or she may retire upon  
40 completion of twenty years of credited service and prior to the  
41 completion of twenty-five years of service, but in such event the bene-  
42 fit provided from funds other than those based on such a member's own  
43 contributions shall not exceed two per centum of final average salary  
44 per each year of credited service.

45 § 3. Section 603 of the retirement and social security law is amended  
46 by adding a new subdivision u to read as follows:

47 u. The service retirement benefit specified in section six hundred  
48 four of this article shall be payable to members with twenty-five or  
49 more years of creditable service, without regard to age, who are  
50 employed as deputy sheriffs-civil in Monroe county, as defined in  
51 section eighty-nine-x of this chapter if: (i) such members have met the  
52 minimum service requirements upon retirement, and (ii) in the case of a  
53 member subject to the provisions of article fourteen of this chapter,  
54 such member files an election therefor which provides that he or she  
55 will be subject to the provisions of this article and to none of the  
56 provisions of such article fourteen. Such election, which shall be irre-

1 vocable, shall be in writing, duly executed and shall be filed with the  
 2 comptroller on or before December thirty-first, two thousand twenty-  
 3 three or within one year of entering into service as a deputy sheriff-  
 4 civil in Monroe county. The term "creditable service" shall have the  
 5 meaning as so defined in section eighty-nine-x and subdivision c of  
 6 section six hundred one of this chapter.

7 § 4. Section 604 of the retirement and social security law is amended  
 8 by adding a new subdivision u to read as follows:

9 u. The early service retirement for a member who is employed as a  
 10 deputy sheriff-civil as defined in section eighty-nine-x of this chap-  
 11 ter, shall be a pension equal to one-fiftieth of final average salary  
 12 times years of credited service at the completion of twenty-five years  
 13 of service as such deputy sheriff-civil, but not exceeding one-half of  
 14 his or her final average salary.

15 § 5. All past service costs associated with implementing the  
 16 provisions of this act shall be borne by Monroe County.

17 § 6. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would permit members of the New York State and Local Employees' Retirement System (ERS) who are employed by Monroe County in the title of deputy sheriff-civil, as certified by the sheriff, to retire upon completion of twenty-five (25) years of creditable service with a benefit of one-half (50%) final average salary, provided Monroe County has filed a resolution with the New York State Comptroller to provide such benefits on or before December 31, 2022. Additionally, for those members covered under the provisions of Article 14, this bill would permit an irrevocable election to forfeit the benefits of Article 14 in favor of the 25-year plan benefit, when elected on or before December 31, 2023 or within one year of entering service as a deputy sheriff-civil with Monroe County.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$26,000 in the annual contributions of Monroe County for the fiscal year ending March 31, 2023. In future years, this cost will vary as the billing rates and salary of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$199,000 which will be borne by Monroe County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2023.

These estimated costs are based on 9 affected members employed by Monroe County, with annual salary of approximately \$693,000 as of March 31, 2021. The affected members were identified using information provided by the office of Assemblyman Josh Jensen.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 18, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-3, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 136

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

8959

IN SENATE

May 2, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit

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

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 618 to read as follows:

3 § 618. Transfer of membership into New York state and local employees'  
4 retirement system. a. Definitions. Whenever used in this section:

5 1. The term "eligible employee" shall mean a person who as of the  
6 effective date of this section is an employee of the state university of  
7 New York in a position within the professional, scientific and technical  
8 bargaining unit and who is, as of said effective date, a member of the  
9 optional retirement program and who is a registered nurse who first  
10 became an employee of the state university of New York at Stony Brook  
11 Hospital on a date between January first, nineteen hundred ninety-six  
12 and December thirty-first, nineteen hundred ninety-nine and who is still  
13 employed by the state university of New York as of the date said employ-  
14 ee files an application pursuant to subdivision b of this section;

15 2. The term "optional retirement program" shall mean the optional  
16 retirement program established pursuant to article eight-B of the educa-  
17 tion law.

18 b. Notwithstanding any other provision of law, an eligible employee  
19 shall be allowed to become a member of the New York state and local  
20 employees' retirement system by filing an application with said retire-  
21 ment system no later than December thirty-first, two thousand twenty-  
22 three.

23 c. An eligible employee who files an application to become a member of  
24 the New York state and local employees' retirement system shall be  
25 deemed to be a member of that retirement system with a date of member-  
26 ship as of the date said eligible employee was first employed by the  
27 state university of New York. The eligible employee's membership in the

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

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1 optional retirement program shall terminate as of the date said applica-  
 2 tion is filed.

3 d. An eligible employee who becomes a member of the New York state and  
 4 local employees' retirement system pursuant to subdivision b of this  
 5 section may elect to purchase credit for previous service for any period  
 6 during which said employee was a member of the optional retirement  
 7 program by filing an application with the New York state and local  
 8 employees' retirement system no later than December thirty-first, two  
 9 thousand twenty-three and by paying to said retirement system an amount  
 10 as determined by the comptroller equal to the full cost of such previous  
 11 service credit purchased which shall include an amount equivalent to the  
 12 additional costs to the employer of providing retirement service credit  
 13 to such employee while such employee was a member of the optional  
 14 retirement program as determined by the actuary for the retirement  
 15 system. Said payment may be made by a transfer of funds from the employ-  
 16 ee's optional retirement program account to the New York state and local  
 17 employees' retirement system. Said payment may also be made in one  
 18 payment by the employee or by payroll deduction over a period not to  
 19 exceed five years.

20 § 2. Notwithstanding any other provision of law to the contrary, none  
 21 of the provisions of this act shall be subject to section 25 of the  
 22 retirement and social security law.

23 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow any employee of the State University of New York (SUNY) who is a registered nurse in a position within the Professional, Scientific and Technical bargaining unit, who first became employed with SUNY at Stony Brook Hospital between January 1, 1996 and December 31, 1999, and who enrolled in the Optional Retirement Program (ORP), to terminate their membership in the ORP and to be deemed to be a member of the New York State and Local Employees' Retirement System (NYSLERS) with a date of membership as of the date of first employment by SUNY. Affected members will be required to pay the entire past service cost as determined by the Comptroller in order to receive retirement service credit for any period of service rendered while a member of the ORP.

If this bill is enacted during the 2022 legislative session, the number of employees who may be affected cannot be readily determined. For every employee who does so elect, there will be an annual cost to the State of New York of approximately 13.0% of salary beginning with the fiscal year ending March 31, 2023.

In addition to the annual cost discussed above, for every member who elects this benefit, there will be a past service cost that will depend on the age, service and salary of the member. Members will be able to pay this cost using any of three methods, including a transfer of funds from their ORP balance, a one-time payment, or by payroll deduction over a period not to exceed five (5) years.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.



The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 4, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-43, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 137

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

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"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

5557--A

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sens. MAYER, ADDABBO, BROOKS, HARCKHAM, JACKSON, KAMINSKY, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system

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

1 Section 1. Section 343 of the retirement and social security law is  
2 amended by adding a new subdivision i to read as follows:  
3 i. 1. Notwithstanding any other law, rule or regulation to the contra-  
4 ry, for any police officer employed by the division of law enforcement  
5 in the department of environmental protection in the city of New York  
6 transferring from the New York city employees' retirement system to the  
7 New York state and local police and fire retirement system after the  
8 effective date of this subdivision and any police officer formerly  
9 employed by the division of law enforcement in the department of envi-  
10 ronmental protection in the city of New York having made such transfer,  
11 such police officer's division of law enforcement in the department of  
12 environmental protection in the city of New York service credit shall be  
13 deemed creditable service, in such police officer's twenty year or twen-  
14 ty-five year retirement plan, if such police officer has served for at  
15 least two years in such employment and if, within one year of the date  
16 on which he or she first became a member of the New York state and local

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

LBD08678-13-2

1 police and fire retirement system or within one year of the effective  
2 date of this subdivision, such member elects to do so.

3 2. The amount of such service credited to the member in the New York  
4 state and local police and fire retirement system plan shall not exceed  
5 the amount of service credited to the member in the New York city  
6 employees' retirement system plan.

7 3. If the member subsequently retires on an age-based retirement plan  
8 in the New York state and local police and fire retirement system  
9 instead of a twenty year or twenty-five year plan, the full amount of  
10 service credit earned, as a police officer employed by the division of  
11 law enforcement in the department of environmental protection in the  
12 city of New York shall be granted.

13 4. In no event shall the division of law enforcement in the department  
14 of environmental protection in the city of New York service credited to  
15 a member of the New York state and local police and fire retirement  
16 system pursuant to this subdivision exceed a total of ten years.

17 5. Notwithstanding any other provision of law in this section to the  
18 contrary, the reserve on such member's benefits shall be transferred  
19 from the New York city employees' retirement system to the New York  
20 state and local police and fire retirement system in accordance with  
21 subdivisions c and d of this section.

22 6. No member who receives service credit pursuant to this subdivision  
23 shall be eligible to receive additional service credit pursuant to  
24 subdivision b of section three hundred eighty-four-e of this article if  
25 his or her employer has elected to provide such service credit.

26 § 2. This act shall take effect on the sixtieth day after it shall  
27 have become a law.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would expand the definition of service creditable under 20-year and 25-year plans in the New York State and Local Police and Fire Retirement System (PFRS) to include service transferred by any police officer employed or formerly employed by the Division of Law Enforcement in the Department of Environmental Protection in the City of New York, provided that such police officer has at least two years of such employment. The member must elect to obtain the service credit within one year of the date on which he or she first became a member of the PFRS or within one year of the effective date of this bill, whichever occurs later. The amount of service credit received in PFRS shall not exceed the minimum of the amount of service credited to the member in the New York City Employees' Retirement System (NYCERS) plan or 10 years.

If this bill is enacted during the 2022 legislative session, insofar as this proposal affects the PFRS, it is estimated that the past service cost will average approximately 25% of an affected member's salary for each year of additional service that is credited on a 20-year or 25-year plan. This cost will be offset by any reserves transferred from the NYCERS. The remaining cost will be shared by the State of New York and the participating employers of the PFRS.

The exact number of current members as well as future members who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated December 22, 2021, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-9, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend Section 343 of the Retirement and Social Security Law (RSSL) to allow New York City Employees' Retirement System (NYCERS) members currently or formerly employed as New York City Department of Environmental Protection (DEP) police officers to transfer, within specified timeframes, to the New York State and Local Police and Fire Retirement System (PFRS) and receive up to 10 years of credit in the 20-year and 25-year Plans for such equal DEP service. Employer paid pension reserves would also be transferred from NYCERS to PFRS for each such transfer.

Effective Date: Sixty days after enactment.

BACKGROUND: Currently, NYCERS members employed as DEP police officers who subsequently become employed by the State are eligible to transfer their NYCERS membership to PFRS but generally do not receive service credit in the 20-year and 25-year PFRS Plans. Upon successful application for transfers between NYCERS and PFRS, member accumulated contributions (with accrued interest) are generally transferred but additional employer paid reserves are not.

Under the proposed legislation, if enacted, DEP police officers who served in such title for a minimum of two years and then transfer their NYCERS membership to PFRS within one year of becoming a PFRS member (or one year of the effective date, if later) would receive up to 10 years of credit in the 20-year and 25-year PFRS Plans for such equal DEP service. This service would be included in the benefit calculation payable by PFRS.

Additionally, NYCERS would be required to calculate and pay such member's pension reserve, net of any accumulated salary deductions otherwise transferred, to PFRS. It should be noted that the proposed legislation does not provide a reciprocal transfer of reserves should a member transfer from PFRS to NYCERS.

FINANCIAL IMPACT - OVERVIEW: There is no data available to estimate the number of NYCERS members who would potentially take advantage of this proposed legislation. Therefore, the estimated financial impact has been calculated on a per event basis equal to the increase in Unfunded Accrued Liability (UAL) for an average NYCERS member who is employed as a DEP police officer and transfers to PFRS. This increase in UAL consists of the required amount to be transferred to PFRS, plus Additional Member Contributions (AMC) to be refunded to the member, if any, offset by the reduction in Accrued Liability since the member, assuming all service credit is transferred, would no longer be entitled to future NYCERS benefits.

For purposes of this Fiscal Note, it has been assumed that the impacted NYCERS members would generally not have transferred their membership to PFRS absent this proposed legislation. It has been further assumed that members with more than 15 years of service would not transfer their membership even under the proposed legislation.

With respect to an individual member, the additional cost of this proposed legislation could vary greatly depending on the member's length of service, age, and salary history.

**FINANCIAL IMPACT - PRESENT VALUES:** Based on the census data and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the UAL by approximately \$50,400, on average, for each eligible member who transfers to PFRS.

**FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS:** Enactment of this proposed legislation would increase employer contributions, where such amount would depend on the number of members affected as well as other characteristics including the age, years of service, and salary history of the member.

As there is no data currently available to estimate the number of members who may transfer to PFRS, the financial impact would be recognized at the time of event. Consequently, changes in employer contributions have been estimated assuming that the increase in the UAL will be financed over the same time period used for actuarial losses in accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York. Using this approach, the increase in UAL would be amortized over a closed 15-year period (14 payments under the One-Year Lag Methodology) using level dollar payments.

Based on the actuarial assumptions and methods described below, the enactment of this proposed legislation is estimated to increase annual employer contributions by approximately \$6,000, on average, for each eligible member who transfers to PFRS.

With respect to the timing, increases in employer contributions would depend upon when eligible members file their application to transfer their NYCERS membership to PFRS but, generally, increased employer contributions will first occur the second fiscal year following the transfer of reserves to PFRS.

**CENSUS DATA:** The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of NYCERS to determine the Preliminary Fiscal Year 2023 employer contributions.

There are 190 active DEP police officers who participate in NYCERS and have at least two years of service as of June 30, 2021. Of these, 98 active members have 15 or fewer years of service and are therefore assumed to potentially benefit from the proposed legislation. These 98 active members have an average age of approximately 35.9 years, average service of approximately 9.3 years, and an average salary of approximately \$74,200. There are also 42 former DEP police officers who have separated from service with between two and 15 years of service.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The changes in the UAL and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual



experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

- \* The initial, additional administrative costs of NYCERS and other New York City agencies to implement the proposed legislation.

- \* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-26 dated April 19, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 146

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 7383-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 4686-A, entitled:

"AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore"

Senate Bill Number 9327, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions"

NOT APPROVED

These three bills are part of a larger group of more than 20 bills passed by the Legislature this year that aim to provide State and local employees with various enhancements to retirement or disability benefits. As I have stated previously, I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years.

When considered in the aggregate, these retirement and disability benefit bills create a substantial burden on New York State taxpayers that would drive an estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs. These costs must be addressed in the context of the annual budget negotiations where they can be considered with other State spending, including spending to assist localities, rather than as individual pieces of legislation passed without appropriations or consideration for the State's current or future financial plan or for the fiscal impact to localities.

Based on these concerns, I am constrained to veto these bills.

The bills are disapproved.

(signed) KATHY HOCHUL

## STATE OF NEW YORK

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4686--A

2021-2022 Regular Sessions

### IN SENATE

February 8, 2021

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Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

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

1 Section 1. Notwithstanding any other provision of law, Justin Whit-  
 2 more, a member of the New York State and Local Police and Fire Retire-  
 3 ment System currently employed by the city of Rochester, who was  
 4 employed as a seasonal employee for Sampson State Park, beginning on  
 5 July 7, 2007, who through no fault of his own, failed to become a member  
 6 of the New York state and local employees' retirement system during such  
 7 employment by Sampson State Park in 2007, shall be deemed to have joined  
 8 the New York state and local employees' retirement system on the date  
 9 July 7, 2007 and shall be granted Tier IV status in such retirement  
 10 system, if, within one year of the effective date of this act, he shall  
 11 file a written request with the state comptroller.

12 § 2. All past service costs of implementing the provisions of this act  
 13 shall be borne by the state of New York.

14 § 3. This act shall take effect immediately.

FISCAL NOTE. -- Pursuant to Legislative Law, Section 50:

This bill would provide Justin R. Whitmore a date of membership of July 7, 2007 resulting in Tier 2 status in the New York State and Local Police and Fire Retirement System. The member is currently in Tier 6.

If this bill is enacted during the 2022 legislative session, we anticipate that there will be an increase of approximately \$9,300 in the annual contributions of the City of Rochester for the fiscal year ending

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

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March 31, 2023. In future years, this cost will vary as the billing rates and salary of Justin Whitmore change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$34,200 which will be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2023.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated December 22, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-23, prepared by the Actuary for the New York State and Local Retirement System.

VETO MESSAGE - No. 165

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 7383-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 4686-A, entitled:

"AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore"

Senate Bill Number 9327, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions"

NOT APPROVED

These three bills are part of a larger group of more than 20 bills passed by the Legislature this year that aim to provide State and local employees with various enhancements to retirement or disability benefits. As I have stated previously, I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years.

When considered in the aggregate, these retirement and disability benefit bills create a substantial burden on New York State taxpayers that would drive an estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs. These costs must be addressed in the context of the annual budget negotiations where they can be considered with other State spending, including spending to assist localities, rather than as individual pieces of legislation passed without appropriations or consideration for the State's current or future financial plan or for the fiscal impact to localities.

Based on these concerns, I am constrained to veto these bills.

The bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

9341

IN SENATE

May 18, 2022

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to making technical changes to provisions providing for certification for service as a retired judge of the court of appeals or a retired justice of the supreme court

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

1 Section 1. Section 114 of the judiciary law, as added by chapter 704  
2 of the laws of 1962, subdivision 1 as amended by chapter 751 of the laws  
3 of 1981, is amended to read as follows:

4 § 114. Retired judges of the court of appeals. 1. Any judge of the  
5 court of appeals, retired pursuant to subdivision b of section twenty-  
6 five of article six of the constitution, [~~may~~] shall, upon his or her  
7 application, be certified by the administrative board for service as a  
8 justice of the supreme court upon findings (a) that he or she has the  
9 mental and physical capacity to perform the duties of such office and  
10 (b) that his or her services are necessary to expedite the business of  
11 the supreme court. A copy of such certificate shall be filed with the  
12 appellate division of the department in which such retired judge resides  
13 and in the office of court administration.

14 2. Any such certification shall be valid for a term of two years  
15 beginning on the date of filing the certificate. At the expiration of  
16 such term, the retired judge [~~may~~] shall be certified for additional  
17 terms of two years each by the administrative board upon findings of  
18 continued mental and physical capacity and need for his or her services.  
19 No retired judge may serve under any such certification beyond the last  
20 day of December in the year in which he or she reaches the age of seven-  
21 ty-six.

22 3. A retired judge so certified shall for all purposes, other than  
23 determining the number of justices in a judicial district for the  
24 purposes of subdivision d of section six of article six of the constitu-  
25 tion and section one hundred forty-a of this chapter, but including  
26 powers, duties, salary, status and rights, be a justice of the supreme

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

LBD08696-02-1

1 court in the district in which he or she resides when so certified. A  
2 retired judge shall be subject to assignment by the appellate division  
3 of the supreme court of the judicial department of his or her residence.

4 4. The provisions of this section shall also be applicable to a judge  
5 who has not yet reached the age of seventy-six and who reached the age  
6 of seventy and retired as a judge of the court of appeals prior to the  
7 effective date of this section.

8 § 2. Section 115 of the judiciary law, as added by chapter 704 of the  
9 laws of 1962, subdivision 1 as amended by chapter 751 of the laws of  
10 1981, is amended to read as follows:

11 § 115. Retired justices of the supreme court. 1. Any justice of the  
12 supreme court, retired pursuant to subdivision b of section twenty-five  
13 of article six of the constitution, [~~may~~] shall, upon his or her appli-  
14 cation, be certified by the administrative board for service as a  
15 retired justice of the supreme court upon findings (a) that he or she  
16 has the mental and physical capacity to perform the duties of such  
17 office and (b) that his or her services are necessary to expedite the  
18 business of the supreme court. A copy of such certificate shall be filed  
19 with the appellate division of the department in which such retired  
20 justice resides and in the office of court administration.

21 2. Any such certification shall be valid for a term of two years  
22 beginning on the date of filing the certificate. At the expiration of  
23 such term the retired justice [~~may~~] shall be certified for additional  
24 terms of two years each by the administrative board upon findings of  
25 continued mental and physical capacity and need for his or her services.  
26 No retired justice may serve under any such certification beyond the  
27 last day of December in the year in which he or she reaches the age of  
28 seventy-six.

29 3. A retired justice so certified shall for all purposes, other than  
30 determining the number of justices in a judicial district for the  
31 purposes of subdivision d of section six of article six of the constitu-  
32 tion and section one hundred forty-a of this chapter, but including  
33 powers, duties, salary, status and rights, be a justice of the supreme  
34 court in the district in which he or she resides when so certified. A  
35 retired justice shall be subject to assignment by the appellate division  
36 of the supreme court of the judicial department of his or her residence.

37 4. The provisions of this section shall also be applicable to a  
38 justice of the supreme court, a judge of the county court of a county  
39 within the city of New York, and a judge of the court of general  
40 sessions of the county of New York who has not yet reached the age of  
41 seventy-six and who reached the age of seventy and retired as such  
42 justice or judge prior to the effective date of this section.

43 § 3. This act shall take effect immediately.

VETO MESSAGE - No. 196

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 9341, entitled:

"AN ACT to amend the judiciary law, in relation to making technical changes to provisions providing for certification for service as a retired judge of the court of appeals or a retired justice of the supreme court"

NOT APPROVED

This bill would amend the Judiciary Law to require that a retiring Justice's application for certification to serve beyond the constitutionally mandated retirement age of 70 be certified by the Administrative Board of the Courts upon a finding that the Justice has the mental and physical capacity to perform the duties of the office and that the Justice's services are necessary to expedite the business of the courts.

Currently, such certification is at the discretion of the Administrative Board. The Administrative Board considers various factors when determining whether to recertify a retiring Judge or Justice, including, for example, whether the Justice has been the subject of complaints or involved in activities that undermine public confidence and trust in the courts. This bill limits this discretion, only allowing the Administrative Board to take into account the Justice's mental and physical capacity and the need for his or her continued service on the bench.

Therefore, I am constrained to veto this bill.

The bill is disapproved.

(signed) KATHY HOCHUL



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# SECTION III

Legislation Affecting Other  
New York Public Retirement Systems

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## STATE OF NEW YORK

9085

### IN SENATE

May 9, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the general municipal law, in relation to providing a special accidental death benefit to the parents of certain deceased members

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

1 Section 1. The opening paragraph of subdivision a, the opening para-  
2 graph of subdivision b, subdivision c and subdivision f of section 208-f  
3 of the general municipal law, the opening paragraph of subdivision a as  
4 amended by chapter 457 of the laws of 2017, the opening paragraph of  
5 subdivision b as amended by chapter 634 of the laws of 1984, subdivision  
6 c as amended by chapter 327 of the laws of 2021 and subdivision f as  
7 amended by chapter 733 of the laws of 1990, are amended and a new subdi-  
8 vision j is added to read as follows:

9 Notwithstanding any other provision of law, the special accidental  
10 death benefit provided by this section shall be paid to the widow or  
11 widower or the deceased member's children under the age of eighteen, or,  
12 if a student under the age of twenty-three, if the widow or widower has  
13 died, **or to the deceased member's parents if the member has no widow,**  
14 **widower, children under the age of eighteen, or a student under the age**  
15 **of twenty-three,** of: (i) a deceased member of a pension or retirement  
16 system of a police department or paid fire department of a city, town or  
17 village; (ii) a deceased paid member of the police force of the police  
18 department of the New York city transit authority; (iii) a deceased paid  
19 member of the police force of the police department of the New York city  
20 housing authority; (iv) a deceased paid member of the uniformed  
21 correction force of the New York city department of correction; (v) a  
22 deceased paid uniformed member of a county sheriff's department (outside  
23 the city of New York); (vi) a deceased employee of the city of New York  
24 or the New York city health and hospitals corporation in a title whose  
25 duties are those of an emergency medical technician or advanced emergen-  
26 cy medical technician (as those terms are defined in section three thou-  
27 sand one of the public health law), or in a title whose duties require

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

LBD15414-03-2

1 the supervision of employees whose duties are those of an emergency  
 2 medical technician or advanced emergency medical technician (as those  
 3 terms are defined in section three thousand one of the public health  
 4 law); (vii) a deceased paid bridge and tunnel member of the New York  
 5 city employees' retirement system; or (viii) a deceased paid member of  
 6 the uniformed force of the New York city department of sanitation,  
 7 providing the widow or widower is ineligible to receive benefits pursu-  
 8 ant to section three hundred sixty-one-a of the retirement and social  
 9 security law as amended by chapter seven hundred thirty-three of the  
 10 laws of nineteen hundred ninety and the deceased member:

11 The special accidental death benefit shall be paid by the city, town  
 12 or village which employed the deceased member at the time of death, and  
 13 shall consist of a pension which is equal to the salary of the deceased  
 14 member, reduced by the sum of each of the following benefits received by  
 15 the widow or widower or the deceased member's children under the age of  
 16 eighteen, if the widow or widower has died, or to the deceased member's  
 17 parents if the member has no widow, widower, children under the age of  
 18 eighteen, or a student under the age of twenty-three, on account of the  
 19 death of the deceased member:

20 c. Commencing July first, two thousand twenty-one the special acci-  
 21 dental death benefit paid to a widow or widower or the deceased member's  
 22 children under the age of eighteen or, if a student, under the age of  
 23 twenty-three, if the widow or widower has died, or to the deceased  
 24 member's parents if the member has no widow, widower, children under the  
 25 age of eighteen, or a student under the age of twenty-three, shall be  
 26 escalated by adding thereto an additional percentage of the salary of  
 27 the deceased member (as increased pursuant to subdivision b of this  
 28 section) in accordance with the following schedule:

29	calendar year of death	
30	of the deceased member	per centum
31	1977 or prior	267.1%
32	1978	256.5%
33	1979	246.1%
34	1980	236%
35	1981	226.2%
36	1982	216.7%
37	1983	207.5%
38	1984	198.5%
39	1985	189.8%
40	1986	181.4%
41	1987	173.2%
42	1988	165.2%
43	1989	157.5%
44	1990	150.0%
45	1991	142.7%
46	1992	135.7%
47	1993	128.8%
48	1994	122.1%
49	1995	115.7%
50	1996	109.4%
51	1997	103.3%
52	1998	97.4%
53	1999	91.6%
54	2000	86.0%
55	2001	80.6%
56	2002	75.4%

1	2003	70.2%
2	2004	65.3%
3	2005	60.5%
4	2006	55.8%
5	2007	51.3%
6	2008	46.9%
7	2009	42.6%
8	2010	38.4%
9	2011	34.4%
10	2012	30.5%
11	2013	26.7%
12	2014	23.0%
13	2015	19.4%
14	2016	15.9%
15	2017	12.6%
16	2018	9.3%
17	2019	6.1%
18	2020	3.0%
19	2021	0.0%

20 f. The special accidental death benefit shall be paid to:

21 1. The member's widow or widower to continue during his or her life-  
 22 time. If he or she shall leave no widow or widower, or if his or her  
 23 widow or widower shall die before all his or her children shall have  
 24 attained age eighteen or, if students shall have attained the age of  
 25 twenty-three, or sooner die, then to

26 2. His or her child or children under age eighteen, or, if students,  
 27 under age twenty-three, divided in such manner as the comptroller, in  
 28 his discretion, shall determine~~[-]~~, **or sooner die, then to**

29 **3. His or her parents if the member has no widow, widower, children**  
 30 **under the age of eighteen, or a student under the age of twenty-three,**  
 31 **for their lifetimes.** Such pension shall continue in the same amount as  
 32 received by the member's widow or widower as a joint and survivor  
 33 pension until every such child shall have attained age eighteen or soon-  
 34 er die.

35 **j. In the case of a deceased member who died prior to the effective**  
 36 **date of this subdivision, the payment of the benefit to the deceased**  
 37 **member's parents shall commence on the effective date of this subdivi-**  
 38 **sion, provided, however that the benefit amount shall be deemed to have**  
 39 **been subject to annual increases pursuant to subdivision b of this**  
 40 **section and escalation pursuant to subdivision c of this section, from**  
 41 **the date of such member's death.**

42 § 2. This act shall take effect immediately.

# SECTION IV

Vetoed Legislation Affecting Other  
New York Public Retirement Systems

## STATE OF NEW YORK

8644

### IN SENATE

March 24, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the education law, in relation to providing for the automatic enrollment of employees of the city of New York eligible to join the New York city board of education retirement system

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

1 Section 1. Paragraph (b) of subdivision 18 of section 2575 of the  
2 education law, as added by chapter 536 of the laws of 1986, is amended  
3 to read as follows:

4 (b) (1) Notwithstanding the provisions of paragraph (a) of subdivision  
5 one of this section or any provision of the rules and regulations or any  
6 other provision of law to the contrary, membership in the board of  
7 education retirement system shall include any provisional employee in  
8 education service who elects to become a member in the manner prescribed  
9 by the applicable provisions of subparagraph two ~~[or]~~, subparagraph  
10 three **or subparagraph four** of this paragraph.

11 (2) Any such provisional employee who is not a member of the New York  
12 city employees' retirement system at the time he or she elects to become  
13 a member of the board of education retirement system may make such an  
14 election of membership by filing with the board of education retirement  
15 system a duly executed and acknowledged application for membership.

16 (3) Any such provisional employee who is a member of the New York city  
17 employees' retirement system at the time he or she elects to become a  
18 member of the board of education retirement system may make such an  
19 election of membership by filing simultaneously with the board of educa-  
20 tion retirement system a duly executed and acknowledged application for  
21 membership and a duly executed and acknowledged request that his or her  
22 membership and service credit in the New York city employees' retirement  
23 system be transferred to the board of education retirement system.

24 **(4)(i) Beginning July first, two thousand twenty-three, upon the entry**  
25 **into employment of any employee eligible to elect membership in the**  
26 **retirement system pursuant to subparagraphs one, two and three of this**  
27 **paragraph or any other applicable provision of law, and provided such**

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

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1 employee is not a member in the retirement system or any other public  
2 retirement system of the city or state of New York as of such entry date  
3 in covered employment, such employee shall be enrolled in the retirement  
4 system effective ninety-one days after the commencement of employment.  
5 Notwithstanding the preceding, if such employee files with the retire-  
6 ment system an application to opt out of membership within ninety days  
7 after commencement of employment, the retirement system shall refrain  
8 from enrolling such employee unless and until such employee subsequently  
9 files an application for membership with the retirement system, or is  
10 otherwise subsequently mandated to enroll by the rules and regulations  
11 of the retirement system or any applicable law. The employer and the  
12 applicable union for the retirement system shall jointly provide written  
13 notice to the employee informing the employee that he or she has the  
14 option to opt out of the automatic enrollment program. Such notice shall  
15 be provided to the employee on three occasions: on or before the thirti-  
16 eth day, the sixtieth day and the ninetieth day prior to automatic  
17 enrollment in the retirement system. The automatic enrollment of eligi-  
18 ble employees as provided for in this subparagraph shall not be  
19 construed to modify the right of eligible employees to join the retire-  
20 ment system as of the first date of covered employment by filing an  
21 application for membership with the retirement system. The employer  
22 shall inform the employee in writing of the right to join the system as  
23 well as the fact that the employee shall be enrolled in the retirement  
24 system on the ninety-first day after commencement of employment, unless  
25 such employee files with the retirement system an application to opt out  
26 of membership prior to such date. Any eligible employee who elects to  
27 opt out of membership in the retirement system within the ninety day  
28 period shall retain the right to join such system by subsequently filing  
29 an application for membership so long as such employee remains in  
30 covered employment.

31 (ii) Every current employee who is eligible for membership in the  
32 retirement system on July first, two thousand twenty-three, and who is  
33 not a member in the retirement system or any other public retirement  
34 system of the city or state of New York, shall be enrolled in the  
35 retirement system effective October first, two thousand twenty-three,  
36 unless such employee files with the retirement system an application to  
37 opt out of membership before October first, two thousand twenty-three.  
38 Such automatic enrollment in the retirement system shall not be  
39 construed to waive any of the eligibility requirements for previous  
40 service credit.

41 (iii) The automatic enrollment of eligible employees as provided for  
42 in this subparagraph shall not be construed to modify the rights and  
43 obligations of any employee whose participation in the retirement system  
44 is mandated by the rules and regulations of the retirement system or any  
45 applicable law, and such mandated members may not opt out of membership.

46 (iv) If an employee who is automatically enrolled in the retirement  
47 system pursuant to the provisions of this paragraph is a member of a  
48 union, the retirement system shall provide written notice to the union  
49 of the employee's enrollment within thirty days of the employee's  
50 enrollment in the retirement system.

51 (v) The provisions of this subparagraph shall apply to full-time  
52 employees and part-time employees. The provisions of this subparagraph  
53 shall not apply to provisional employees.

54 § 2. Paragraph (f) of subdivision 18 of section 2575 of the education  
55 law, as added by chapter 749 of the laws of 1992, is amended to read as  
56 follows:

1 (f) Notwithstanding the provisions of paragraph (a) of subdivision one  
 2 of this section or any provision of the rules and regulations or any  
 3 other provision of law to the contrary, membership in the board of  
 4 education retirement system shall include any person employed by the New  
 5 York city police department in the title of school crossing guard who  
 6 becomes a member in the manner prescribed by the provisions of subdivi-  
 7 sion g of section 13-638.4 of the administrative code of the city of New  
 8 York **or by the provisions of subparagraph four of paragraph (b) of this**  
 9 **subdivision.**

10 § 3. This act shall take effect July 1, 2023. Effective immediately  
 11 the addition, amendment and/or repeal of any rule or regulation neces-  
 12 sary for the implementation of this act on its effective date are  
 13 authorized to be made and completed on or before such date.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend Section 2575 of the Education Law to require certain new and existing New York City Board of Education Retirement System (BERS) eligible employees, who are non-provisional, not currently mandated to join BERS, and who are not otherwise already a member in a public retirement system within the State, to be enrolled into BERS membership within stated time periods unless the employees timely opt out of such membership.

Under current law, certain BERS eligible employees, including provisional employees in competitive or labor class titles and employees in non-competitive and exempt class titles, have the option of joining BERS by filing an application for membership at any time during employment with a BERS participating employer. Permanent employees in the competitive or labor class, who are employed in BERS eligible positions, are currently mandated into BERS membership.

The proposed legislation would require BERS to enroll new non-provisional and non-permanent eligible employees (e.g., non-competitive and exempt class titles) into BERS membership, within 90 days of employment, unless the employee files an application with BERS to opt out of membership within the 90-day period. An existing non-provisional and non-permanent eligible employee who is not already a BERS member will be enrolled as a BERS member on October 1, 2023, unless such employee files an application with BERS to opt out of membership by September 30, 2023.

A BERS eligible employee who timely opts out of BERS automatic enrollment may still join BERS at any time during employment with a participating employer upon the filing of an application. A BERS eligible employee who would be subject to automatic enrollment may voluntarily join BERS prior to the automatic enrollment date. The proposed legislation would have no effect on employees who are, under existing provisions of law, required to become BERS members.

The proposed legislation also requires BERS participating employers and affected unions to provide multiple scheduled written notices of the applicable provisions to new employees and requires BERS to provide written notice to the employee's union within 30 days of the employee's enrollment into BERS.

Effective Date: July 1, 2023.

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: If enacted into law, the ultimate employer cost for this proposed legislation would be based on the number, ages, years of service, and salary of those employees that would have otherwise not elected to become members of BERS.

Based on the data and these statistics herein, and assuming no BERS eligible employee opts out of participation, the Office of the Actuary (OA) has estimated the following costs for this legislation:

\* The additional annual employer contribution will be \$12.9 million if no prior years of service are purchased by these individuals.

\* The additional annual employer contribution will be \$19.7 million if all years of prior service eligible for buyback are purchased by these individuals.

Note that the first year's additional annual employer contribution will likely be significantly larger than these amounts due to the acceleration of membership for certain individuals. However, the present value of the future liabilities for each of these respective contribution streams does not change.

Finally, for purposes of determining the portion of the annual employer contribution attributable to the buyback of prior service, we have assumed an amortization period of 15 years (14 payments under the One-Year Lag Methodology used in the actuarial valuation).

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that since the proposed legislation requires BERS to enroll all existing eligible employees (who are not already members and who do not opt out) into BERS on October 1, 2023, the increase in employer contributions for BERS could be first reflected as early as in Fiscal Year 2025.

CENSUS DATA: The estimates presented herein are based on information provided by BERS for 19,644 individuals who are non-provisional and not currently members of BERS, but could voluntarily elect to participate. This group consists of 18,306 part-time and 1,338 full-time employees, is 71% female, and has an average age of 36.6 years, average annual salary of approximately \$31,700, and average service since date of hire of 4.5 years.

The OA was advised that employees in Payroll Codes 056, 744, 745, 746, and 747 work part-time and earned 0.67 years, 0.28 years, 0.78 years, 0.68 years, and 0.05 years of service per year on average, respectively. Employees in Payroll Codes 740 and 742 are generally full-time employees.

Finally, the OA was advised that approximately 55% of eligible employees who are not currently BERS members are assumed to eventually join BERS. These assumptions are reflected in the OA's calculations.

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of BERS.

These estimates assume that the fractional years of service as described above remains unchanged in the future. These estimates also assume a level workforce (i.e., the number, salary, age, and service characteristics of the added group remain approximately the same in future years).

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of BERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The potential savings to other New York City Retirement Systems and Pension Funds (NYCRS) as the result of these employees becoming members in BERS instead of another NYCRS.

\* The initial, additional administrative costs of BERS and other New York City agencies to implement the proposed legislation.

\* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

\* The cost of potential Tax-Deferred Annuity (TDA) plan participation and benefits.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-04 dated March 17, 2022 was prepared by the Interim Chief Actuary for the New York City Board of Education Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 45

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 8644, entitled:

"AN ACT to amend the education law, in relation to providing for the automatic enrollment of employees of the city of New York eligible to join the New York city board of education retirement system"

NOT APPROVED

This bill would automatically enroll eligible provisional employees into the New York City Board of Education Retirement System (BERS).

The current law authorizes provisional and temporary employees of the New York City Education Department to enroll in BERS voluntarily, either at the time of employment or at a later date, and to purchase credit for past service later in their careers. Permanent employees in the competitive or labor class employed in BERS-eligible positions are mandated into BERS membership. However, no public pension system in New York currently mandates workers classified as temporary or part time enroll in a retirement system.

While the stated goals of this bill are admirable - namely encouraging provisional employees to take advantage of the ability to join the pension system - this right already exists and they are able to join at any time. This bill would force some employees to join a system which they may not wish to join.

Prior versions of this bill were vetoed in 2017 (No. 180) and 2018 (No. 378) because the bills imposed an additional cost to the City and to the State without being accounted for in the State's financial plan. The same issue exists with this legislation in 2022. Under this bill, New York City's annual employer contribution to BERS would increase in the range of \$12.9 million (if no prior years of service are purchased) to \$19.7 million (if all years of prior service are purchased) for existing employees and add additional expenses in future years. Therefore, I am constrained to veto this bill.

This bill is disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

6980--B

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sens. GOUNARDES, KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted a amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member

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

1 Section 1. Paragraph 2 of subdivision c of section 513 of the retire-  
2 ment and social security law, as added by chapter 890 of the laws of  
3 1976, is amended to read as follows:

4 2. (i) A police/fire member shall be eligible to obtain credit for  
5 service with a public employer described in paragraph one only if such  
6 service, if rendered prior to July first, nineteen hundred seventy-six  
7 by a police/fire member who was subject to article eleven of this chap-  
8 ter, would have been eligible for credit in the police/fire retirement  
9 system or plan involved.

10 (ii) Notwithstanding any other provision of law to the contrary, a  
11 member of the New York city fire department pension fund subject to this  
12 article shall be eligible to obtain credit for any period of allowable  
13 service rendered as an EMT member, as such term is defined in paragraph  
14 one of subdivision a of section six hundred four-e of this chapter, as  
15 added by chapter 577 of the laws of 2000, which immediately precedes  
16 service in the uniformed force of the fire department and such service  
17 shall be deemed to be in service of the uniformed force of the fire  
18 department for purposes of eligibility for benefits and to determine the  
19 amount of benefits under the New York city fire department pension fund,

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

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1 provided that such member pays or transfers into the New York city fire  
 2 department pension fund all member contributions set forth in section  
 3 five hundred seventeen of this article plus interest, at a rate of five  
 4 percent per annum. For a member who transfers such contributions from  
 5 the New York city employees' retirement system to the New York city fire  
 6 department pension fund or for a member who withdraws such contributions  
 7 from the New York city employees' retirement system, such member's  
 8 membership in the New York city employees' retirement system shall cease  
 9 upon such transfer or withdrawal and such member shall retain no credit-  
 10 ed service in such system.

11 (iii) The provisions of this paragraph shall apply to a member with  
 12 ten or more years of credited service in the New York city employees'  
 13 retirement system, notwithstanding the provisions of section six hundred  
 14 thirteen of this chapter or any other provision of law to the contrary.

15 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend subdivision c of section 513 of the Retirement and Social Security Law (RSSL) to allow New York City Fire Pension Fund (FIRE) members subject to Article 14 (Tier 3, Tier 3 Modified, and Tier 3 Enhanced) to obtain service credit for service rendered as an emergency medical technician (EMT) with the New York City Employee's Retirement System (NYCERS) that immediately precedes service in FIRE. If properly transferred or purchased, such service shall be deemed to be FIRE service for purposes of determining the eligibility for benefits (including the determination of the number of years of required member contributions) and for determining benefit amounts.

Effective Date: Upon enactment.

BACKGROUND: Currently, the purchase or transfer of service rendered as a NYCERS EMT member does not provide an additional service retirement benefit for FIRE members subject to Article 14.

IMPACT ON BENEFITS: Under the proposed legislation, eligible FIRE members would be able to purchase or transfer service earned as an EMT member and have that service count for purposes of determining the eligibility for benefits and for determining benefit amounts in FIRE. Upon attaining eligible service credit with FIRE, the member would relinquish prior membership and applicable benefits with NYCERS.

IMPACT ON PAYABILITY: Including EMT service towards eligibility would increase and/or accelerate the payability date of benefits.

MEMBER CONTRIBUTIONS: Eligible FIRE members with EMT service immediately preceding their FIRE service would have to pay, via purchase or transfer from NYCERS, applicable Article 14 member contributions, plus 5.0% annual interest for such purchased or transferred service. Member contributions made as a NYCERS EMT member that exceed the amount needed for the applicable Article 14 contributions with interest would, if not otherwise utilized for a separate vested benefit, be refunded with 5.0% annual interest.

FINANCIAL IMPACT - PRESENT VALUES: Based on the census data and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately \$14.9 million and decrease the Present Value of member contributions of approximately \$0.9 million. The net result is an increase in the Present Value of future employer contributions of approximately \$15.8 million.

Under the Entry Age Normal cost method used to determine the employer contributions to FIRE, there would be an increase in the Unfunded

Accrued Liability (UAL) of approximately \$33.5 million offset by a decrease in the Present Value of future employer Normal Cost of \$17.7 million.

**FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS:** In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNYS), new UAL attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of the current FIRE Tier 3 members potentially eligible to purchase EMT service is approximately 20 years.

For the purposes of this Fiscal Note, the increase in UAL was amortized over a 20-year period (19 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This payment offset by a decrease in the Normal Cost results in an increase in annual employer contributions of approximately \$3.2 million each year. The average annual employer cost per member included in this fiscal note is approximately \$2,600 per year.

**CONTRIBUTION TIMING:** For the purposes of this Fiscal Note, it is assumed that the changes in the Present Value of future employer contributions and annual employer contributions would be reflected for the first time in the Final June 30, 2021 actuarial valuation of FIRE. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

**CENSUS DATA:** The estimates presented herein are based on the census data used in the June 30, 2021 (Lag) actuarial valuation of FIRE to determine the Preliminary Fiscal Year 2023 employer contributions.

There are an estimated 1,224 active FIRE Tier 3 members as of June 30, 2021 who could potentially benefit from the proposed legislation by purchasing service earned as an EMT member. These active members had an average age of approximately 31.5 years, average service of approximately 4.5 years (before purchasing any additional service), and an average salary of approximately \$89,000. On average, the 1,224 active FIRE Tier 3 members would be able to purchase 3.0 years of service earned as an EMT member with an estimated purchase cost of \$8,300 per former EMT member as of June 30, 2021.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of FIRE.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of FIRE and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The employer costs for service purchased by future FIRE Tier 3 members for service earned as an EMT member. However, as noted above,



the average annual employer cost per member included in this Fiscal Note is approximately \$2,600 per year.

\* The initial, additional administrative costs to implement the proposed legislation.

\* The impact of this proposed legislation on Other Postemployment Benefit costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-29 dated April 20, 2022 was prepared by the Interim Chief Actuary for the New York City Fire Pension Fund. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 126

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

6981--B

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program

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

1 Section 1. Paragraph 1 of subdivision f of section 604-d of the  
2 retirement and social security law is amended by adding a new subpara-  
3 graph (iv) to read as follows:  
4 (iv) notwithstanding the provisions of subparagraph (ii) of this para-  
5 graph, a participant holding the title of carpenter, supervisor carpen-  
6 ter, ship carpenter, supervisor ship carpenter, rigger, dockbuilder,  
7 supervisor dockbuilder and general supervisor dockbuilder who is a  
8 participant in the age fifty-seven retirement program and whose age and  
9 allowable service are such that he or she could not possibly be able to  
10 accumulate at least twenty-five years of service by the time he or she  
11 reaches age fifty-seven, shall not be required to make the additional  
12 member contribution pursuant to subparagraph (ii) of this paragraph.  
13 Any participant in the titles listed in this subparagraph who has made  
14 additional member contributions pursuant to subparagraph (ii) of this  
15 paragraph prior to the effective date of the chapter of the laws of two  
16 thousand twenty-two that added this subparagraph shall receive a refund  
17 of the employee portion of such contributions plus interest provided  
18 that their age and allowable service are such that he or she could not

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

LBD06522-07-2

1 possibly be able to accumulate at least twenty-five years of service by  
 2 the time he or she reaches age fifty-seven.

3 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend New York Retirement and Social Security Law (RSSL) Section 604-d to exempt from the physically taxing provisions certain Tier 4 carpenter titles, who are participants in the New York City Employees' Retirement System (NYCERS) or the Board of Education Retirement System of the City of New York (BERS) Age 57 Retirement Program (57/5 Plan), and who would not benefit from the early retirement provisions for such physically taxing titles.

The proposed legislation would affect 57/5 Plan participants in the physically taxing titles of carpenter, supervisor carpenter, ship carpenter, supervisor ship carpenter, rigger, dockbuilder, supervisor dockbuilder, and general supervisor dockbuilder (Eligible Carpenter Title) who would be unable to reach the requisite 25 years of credited service in a physically taxing title by age 57, and would therefore be ineligible to take advantage of the early retirement provisions of the physically taxing title, which permits retirement at age 50 (with 25 years of credited service).

Under the proposed legislation, Eligible Carpenter Titles who started in the 57/5 Plan but will not reach 25 years of credited service in a physically taxing title by age 57 would no longer pay physically taxing Additional Member Contributions (AMCs) and would receive an immediate refund of the employee portion (i.e., 50%) of their physically taxing AMCs plus interest. Such Titles would remain responsible for applicable basic member contributions and applicable non-physically taxing AMCs for continued 57/5 Plan participation.

Effective Date: Upon enactment.

FINANCIAL IMPACT - PRESENT VALUES: Based on the census data and actuarial assumptions and methods described herein, the enactment of this proposed legislation would result in an increase in the present value of future employer contributions for NYCERS and BERS of approximately \$5.2 million.

Under the Entry Age Normal cost method used to determine the employer contributions to NYCERS and BERS, there would be an increase in the Unfunded Accrued Liability (UAL) of approximately \$2.3 million and an increase in the present value of future employer Normal Cost of \$2.9 million. These results are summarized in the table below:

Change in (\$ Thousands):	NYCERS	BERS	Total
Actuarial Value of Assets (AVA)	\$ (5,308)	\$ (79)	\$ (5,387)
Accrued Liability (AL)	\$ (3,053)	\$ (65)	\$ (3,118)
Unfunded Accrued Liability (AL-AVA)	\$ 2,255	\$ 14	\$ 2,269
Present Value of Future Employer Normal Cost	\$ 2,815	\$ 55	\$ 2,870

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNY), new UAL attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of the members in Eligible

Carpenter Titles is approximately seven years for NYCERS and nine years for BERS.

For the purposes of this Fiscal Note, the increase in UAL was amortized over a seven-year period (six payments) for NYCERS and over a nine-year period (eight payments) for BERS under the One-Year Lag Methodology (OYLM) using level dollar payments. When added to the change in Employer Normal Cost, the estimated increase in annual employer contributions is approximately \$917,000 for NYCERS and \$14,000 for BERS. The increase in the employer contributions is estimated to be \$389,000 for New York City and \$542,000 for the other obligors of NYCERS.

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that the changes in the Present Value of future employer contributions and annual employer contributions would be reflected for the first time in the Final June 30, 2021 actuarial valuation of NYCERS and BERS. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

CENSUS DATA: The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of NYCERS and BERS to determine the Preliminary Fiscal Year 2023 employer contributions.

	NYCERS	BERS	NYCERS & BERS
Count	225	5	230
Average Age	57.2 years	57.4 years	57.2 years
Average Service	15.2 years	14.0 years	15.2 years
Average Salary	\$106,000	\$98,700	\$105,800

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the UAL, Present Value of future employer contributions, and annual employer contributions presented herein have been calculated based on the same actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS and BERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS and BERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

- o The initial, additional administrative costs of NYCERS, BERS, and other New York City agencies to implement the proposed legislation.
- o The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally

accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-27 dated April 19, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System and the Board of Education Retirement System of the City of New York. This estimate is intended for use only during the 2022 Legislative Session.



VETO MESSAGE - No. 127

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

STATE OF NEW YORK

6985--B

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system

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

1 Section 1. Subparagraph (ii) of paragraph 2 of subdivision d of  
2 section 604-g of the retirement and social security law, as amended by  
3 chapter 18 of the laws of 2012, is amended to read as follows:

4 (ii) In the case of a participant who is not a New York city revised  
5 plan member, such vested benefit shall become payable [~~on the earliest~~  
6 ~~date on which such discontinued member could have retired for service if~~  
7 ~~such discontinuance had not occurred~~] as follows:

8 (A) at the later of age sixty-two or the age at discontinuance, if the  
9 member had completed at least ten years of credited service; or

10 (B) at the later of age sixty-three or the age at discontinuance, if  
11 the member had completed at least eight, but fewer than ten years of  
12 credited service; or

13 (C) at the later of age sixty-four or the age of discontinuance, if  
14 the member had completed at least six, but fewer than eight years of  
15 credited service; or

16 (D) at the later of age sixty-five or the age of discontinuance, if  
17 the member had completed at least five, but fewer than six years of  
18 credited service;

19 or, in the case of a participant who is a New York city revised plan  
20 member, such vested benefit shall become payable at age sixty-three.

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

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1 § 2. Subdivision e of section 604-g of the retirement and social secu-  
2 rity law is amended by adding a new paragraph 13 to read as follows:

3 13. In addition to the deferred vested benefit calculated pursuant to  
4 subdivision d of this section, a participant who is eligible for such  
5 benefit shall receive a life annuity (calculated in accordance with the  
6 method set forth in subdivision i of section six hundred thirteen-b of  
7 this article) which is actuarially equivalent to the difference between  
8 (i) the contributions required by paragraph one of this subdivision and  
9 (ii) the additional member contributions required by subdivision d of  
10 section six hundred four-c of this article, as added by chapter ninety-  
11 six of the laws of nineteen ninety-five, together with the interest  
12 credited on such contributions.

13 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend Section 604-g of the Retirement and Social Security Law (RSSL) to provide early payability, and an annuity based on the accumulation of certain Additional Members Contributions (AMCs), to certain vested members in the New York City Employees' Retirement System (NYCERS) Automotive 25-Year/Age 50 Plan (Auto 25-Year Plan).

Effective Date: Upon enactment.

IMPACT ON PAYABILITY: Currently, Tier 4 vested members in the Auto 25-Year Plan can begin collecting their pension:

\* At the later of age 50 or what would have been their 25th year of credited service

The proposed legislation would instead enable Tier 4 Auto 25-Year Plan vested members to begin collecting their pension as follows:

\* At age 62 with at least 10 years of credited service

\* At age 63 with at least eight years of credited service

\* At age 64 with at least six years of credited service

\* At age 65 or older with at least five years of credited service

Tier 6 Auto 25-Year Plan members would remain eligible for a vested benefit:

\* At age 63 or older with at least 10 years of credited service.

IMPACT ON BENEFITS: The proposed legislation would further provide to both Tier 4 and 6 Auto 25-Year Plan vested members an annuity benefit at payability equal to the difference between the following:

\* AMCs required in the Auto 25-Year Plan (4.83% of salary), and

\* AMCs required in the Tier 4 55/25 Retirement Plan (ranging from 1.85% to 4.35% of salary depending on dates of the service rendered).

The difference in the AMC balances above are to be annuitized pursuant to the method set out in loan provisions contained in RSSL Section 613-b(i) (i.e., the actuarially equivalent of a life annuity using the interest rate on 30-year US treasury bonds as of January first of the calendar year of retirement and the mortality tables for payment options under RSSL Section 610).

Note:

\* This annuity would only be available to vested members and not to Auto-25 Year Plan service retirees (i.e., retirees with 25 or more years of credited service).

\* For the purposes of determining the costs enumerated in this Fiscal Note, it has been assumed that Tier 4 vested members who would have been eligible for earlier payability (i.e., at the later of age 50 or what would have been 25 years of service) under current provisions of law, would still be eligible for such earlier payability, given Constitu-

tional protections, notwithstanding the bill's omission of such eligibility.

**FINANCIAL IMPACT - PRESENT VALUES:** Based on the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately \$31.0 million. The increase in PVFB is estimated to be \$25.5 million for New York City and \$5.5 million for the other obligors of NYCERS.

Under the Entry Age Normal cost method used to determine the employer contributions to NYCERS, there would be an increase in the Unfunded Accrued Liability (UAL) of approximately \$18.0 million and an increase in the Present Value of future employer Normal Cost of \$13.0 million.

**FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS:** In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNY), new UAL attributable to benefit changes are to be amortized as determined by the Actuary, but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of Auto 25-Year Plan members is approximately 14 years.

For the purposes of this Fiscal Note, the increase in UAL was amortized over a 14-year period (13 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This payment plus the increase in the Normal Cost results in an increase in annual employer contributions of approximately \$3.9 million each year. The increase in annual employer contributions is estimated to be \$3.2 million for New York City and \$0.7 million for the other obligors of NYCERS.

**CONTRIBUTION TIMING:** For the purposes of this Fiscal Note, it is assumed that the changes in the PVFB and annual employer contributions would be reflected for the first time in the June 30, 2021 actuarial valuation of NYCERS. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

**CENSUS DATA:** The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of NYCERS to determine the Preliminary Fiscal Year 2023 employer contributions.

The 1,712 NYCERS Auto 25-Year Plan members as of June 30, 2021 include 1,675 active members and 37 non-active members. The active members had an average age of approximately 45.4 years, average service of approximately 9.3 years, and an average salary of approximately \$113,100.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of NYCERS and other New York City agencies to implement the proposed legislation.

\* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-02 dated March 14, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 128

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"



Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

6988--B

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors

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

1 Section 1. Subdivision a of section 444 of the retirement and social  
2 security law, as amended by section 141 of subpart B of part C of chap-  
3 ter 62 of the laws of 2011, is amended to read as follows:  
4 a. Except as provided in subdivision c of section four hundred forty-  
5 five-a of this article, subdivision c of section four hundred forty-  
6 five-b of this article, subdivision c of section four hundred forty-  
7 five-c of this article, subdivision c of section four hundred  
8 forty-five-d of this article as added by chapter four hundred seventy-  
9 two of the laws of nineteen hundred ninety-five, subdivision c of  
10 section four hundred forty-five-e of this article, subdivision c of  
11 section four hundred forty-five-f of this article [and], subdivision c  
12 of section four hundred forty-five-h of this article and subdivision c  
13 of section four hundred forty-five-j of this article, the maximum  
14 retirement benefit computed without optional modification provided to a  
15 member of a retirement system who is subject to the provisions of this  
16 article, other than a police officer, a firefighter, an investigator  
17 member of the New York city employees' retirement system, a member of

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

LBD08561-06-2

1 the uniformed personnel in institutions under the jurisdiction of the  
2 New York city department of correction who receives a performance of  
3 duty disability retirement allowance, a member of the uniformed person-  
4 nel in institutions under the jurisdiction of the department of  
5 corrections and community supervision or a security hospital treatment  
6 assistant, as those terms are defined in subdivision i of section eight-  
7 y-nine of this chapter, who receives a performance of duty disability  
8 retirement allowance, a member of a teachers' retirement system, New  
9 York city employees' retirement system, New York city board of education  
10 retirement system or a member of the New York state and local employees'  
11 retirement system or a member of the New York city employees' retirement  
12 system or New York city board of education retirement system employed as  
13 a special officer, parking control specialist, school safety agent,  
14 campus peace officer, taxi and limousine inspector or a police communi-  
15 cations member and who receives a performance of duty disability  
16 pension, from funds other than those based on a member's own or  
17 increased-take-home-pay contributions, shall, before any reduction for  
18 early retirement, be sixty per centum of the first fifteen thousand  
19 three hundred dollars of final average salary, and fifty per centum of  
20 final average salary in excess of fifteen thousand three hundred  
21 dollars, and forty per centum of final average salary in excess of twen-  
22 ty-seven thousand three hundred dollars, provided, however, that the  
23 benefits provided by subdivision c of section four hundred forty-five-d  
24 of this article as added by chapter four hundred seventy-two of the laws  
25 of nineteen hundred ninety-five based upon the additional member  
26 contributions required by subdivision d of such section four hundred  
27 forty-five-d shall be subject to the maximum retirement benefit computa-  
28 tions set forth in this section. The maximum retirement benefit computed  
29 without optional modification payable to a police officer, an investi-  
30 gator member of the New York city employees' retirement system or a  
31 firefighter shall equal that payable upon completion of thirty years of  
32 service, except that the maximum service retirement benefit computed  
33 without optional modification shall equal that payable upon completion  
34 of thirty-two years of service.

35 § 2. Subdivision a of section 445 of the retirement and social securi-  
36 ty law, as amended by chapter 245 of the laws of 2021, is amended to  
37 read as follows:

38 a. No member of a retirement system who is subject to the provisions  
39 of this article shall retire without regard to age, exclusive of retire-  
40 ment for disability, unless he or she is a police officer, an investi-  
41 gator member of the New York city employees' retirement system, fire-  
42 fighter, correction officer, a qualifying member as defined in section  
43 eighty-nine-t, as added by chapter six hundred fifty-seven of the laws  
44 of nineteen hundred ninety-eight, of this chapter, sanitation worker, a  
45 special officer (including persons employed by the city of New York in  
46 the title urban park ranger or associate urban park ranger), school  
47 safety agent, campus peace officer or a taxi and limousine commission  
48 inspector member of the New York city employees' retirement system or  
49 the New York city board of education retirement system, a dispatcher  
50 member of the New York city employees' retirement system, a police  
51 communications member of the New York city employees' retirement system,  
52 an EMT member of the New York city employees' retirement system, a depu-  
53 ty sheriff member of the New York city employees' retirement system, a  
54 fire protection inspector member of the New York city employees' retire-  
55 ment system, a correction officer of the Westchester county correction  
56 department as defined in section eighty-nine-e of this chapter or

1 employed in Suffolk county as a peace officer, as defined in section  
2 eighty-nine-s, as added by chapter five hundred eighty-eight of the laws  
3 of nineteen hundred ninety-seven, of this chapter, employed in Suffolk  
4 county as a correction officer, as defined in section eighty-nine-f of  
5 this chapter, or employed in Nassau county as a correction officer,  
6 uniformed correction division personnel, sheriff, undersheriff or deputy  
7 sheriff, as defined in section eighty-nine-g of this chapter, or  
8 employed in Nassau county as an ambulance medical technician, an ambu-  
9 lance medical technician/supervisor or a member who performs ambulance  
10 medical technician related services, or a police medic, police medic  
11 supervisor or a member who performs police medic related services, as  
12 defined in section eighty-nine-s, as amended by chapter five hundred  
13 seventy-eight of the laws of nineteen hundred ninety-eight, of this  
14 chapter, or employed in Nassau county as a peace officer, as defined in  
15 section eighty-nine-s, as added by chapter five hundred ninety-five of  
16 the laws of nineteen hundred ninety-seven, of this chapter, or employed  
17 in Albany county as a sheriff, undersheriff, deputy sheriff, correction  
18 officer or identification officer, as defined in section eighty-nine-h  
19 of this chapter or is employed in St. Lawrence county as a sheriff,  
20 undersheriff, deputy sheriff or correction officer, as defined in  
21 section eighty-nine-i of this chapter or is employed in Orleans county  
22 as a sheriff, undersheriff, deputy sheriff or correction officer, as  
23 defined in section eighty-nine-l of this chapter or is employed in  
24 Jefferson county as a sheriff, undersheriff, deputy sheriff or  
25 correction officer, as defined in section eighty-nine-j of this chapter  
26 or is employed in Onondaga county as a deputy sheriff-jail division  
27 competitively appointed or as a correction officer, as defined in  
28 section eighty-nine-k of this chapter or is employed in a county which  
29 makes an election under subdivision j of section eighty-nine-p of this  
30 chapter as a sheriff, undersheriff, deputy sheriff or correction officer  
31 as defined in such section eighty-nine-p or is employed in Broome County  
32 as a sheriff, undersheriff, deputy sheriff or correction officer, as  
33 defined in section eighty-nine-m of this chapter or is a Monroe county  
34 deputy sheriff-court security, or deputy sheriff-jailor as defined in  
35 section eighty-nine-n, as added by chapter five hundred ninety-seven of  
36 the laws of nineteen hundred ninety-one, of this chapter or is employed  
37 in Greene county as a sheriff, undersheriff, deputy sheriff or  
38 correction officer, as defined in section eighty-nine-o of this chapter  
39 or is a traffic officer with the town of Elmira as defined in section  
40 eighty-nine-q of this chapter or is employed by Suffolk county as a park  
41 police officer, as defined in section eighty-nine-r of this chapter or  
42 is a peace officer employed by a county probation department as defined  
43 in section eighty-nine-t, as added by chapter six hundred three of the  
44 laws of nineteen hundred ninety-eight, of this chapter or is employed in  
45 Rockland county as a deputy sheriff-civil as defined in section eighty-  
46 nine-v of this chapter as added by chapter four hundred forty-one of the  
47 laws of two thousand one, or is employed in Rockland county as a superi-  
48 or correction officer as defined in section eighty-nine-v of this chap-  
49 ter as added by chapter five hundred fifty-six of the laws of two thou-  
50 sand one or is a paramedic employed by the police department in the town  
51 of Tonawanda and retires under the provisions of section eighty-nine-v  
52 of this chapter, as added by chapter four hundred seventy-two of the  
53 laws of two thousand one, or is a county fire marshal, supervising fire  
54 marshal, fire marshal, assistant fire marshal, assistant chief fire  
55 marshal or chief fire marshal employed by the county of Nassau as  
56 defined in section eighty-nine-w of this chapter and is in a plan which

1 permits immediate retirement upon completion of a specified period of  
 2 service without regard to age. Except as provided in subdivision c of  
 3 section four hundred forty-five-a of this article, subdivision c of  
 4 section four hundred forty-five-b of this article, subdivision c of  
 5 section four hundred forty-five-c of this article, subdivision c of  
 6 section four hundred forty-five-d of this article, subdivision c of  
 7 section four hundred forty-five-e of this article, subdivision c of  
 8 section four hundred forty-five-f of this article [~~and~~], subdivision c  
 9 of section four hundred forty-five-h of this article, and subdivision c  
 10 of section four hundred forty-five-j of this article, a member in such a  
 11 plan and such an occupation, other than a police officer or investigator  
 12 member of the New York city employees' retirement system or a firefight-  
 13 er, shall not be permitted to retire prior to the completion of twenty-  
 14 five years of credited service; provided, however, if such a member in  
 15 such an occupation is in a plan which permits retirement upon completion  
 16 of twenty years of service regardless of age, he or she may retire upon  
 17 completion of twenty years of credited service and prior to the  
 18 completion of twenty-five years of service, but in such event the bene-  
 19 fit provided from funds other than those based on such a member's own  
 20 contributions shall not exceed two per centum of final average salary  
 21 per each year of credited service.

22 § 3. The retirement and social security law is amended by adding a new  
 23 section 445-j to read as follows:

24 § 445-j. Optional twenty-five year improved benefit retirement program  
 25 for fire protection inspector members. a. Definitions. The following  
 26 words and phrases as used in this section shall have the following mean-  
 27 ings unless a different meaning is plainly required by the context.

28 1. "Retirement system" shall mean the New York city employees' retire-  
 29 ment system.

30 2. "Fire protection inspector member" shall mean (i) a member of the  
 31 retirement system who is subject to the provisions of this article, who  
 32 is employed by the city of New York or by the New York city fire depart-  
 33 ment in a title whose duties are those of a fire protection inspector or  
 34 associate fire protection inspector; and (ii) a member of the retirement  
 35 system who, on the effective date of this section or thereafter, was  
 36 employed by the city of New York or by the New York city fire department  
 37 in a title whose duties are those of a fire protection inspector or  
 38 associate fire protection inspector and who, subsequent thereto, became  
 39 employed by the city of New York or by the New York city fire department  
 40 in a title whose duties require the supervision of employees whose  
 41 duties are those of a fire protection inspector or associate fire  
 42 protection inspector.

43 3. "Twenty-five year improved benefit retirement program" shall mean  
 44 all the terms and conditions of this section.

45 4. "Starting date of the twenty-five year improved benefit retirement  
 46 program" shall mean the effective date of this section, as such date is  
 47 certified pursuant to section forty-one of the legislative law.

48 5. "Participant in the twenty-five year improved benefit retirement  
 49 program" shall mean any fire protection inspector member who, under the  
 50 applicable provisions of subdivision b of this section, is entitled to  
 51 the rights, benefits and privileges and is subject to the obligations of  
 52 the twenty-five year improved benefit retirement program, as applicable  
 53 to him or her.

54 6. "Administrative code" shall mean the administrative code of the  
 55 city of New York.

1 7. "Accumulated deductions" shall mean accumulated deductions as  
2 defined in subdivision eleven of section 13-101 of the administrative  
3 code.

4 8. "Optional retirement provisions" shall mean the right to retire and  
5 receive a retirement allowance under this section upon the completion of  
6 twenty-five years of credited service.

7 9. "Credited service" for purposes of this section shall mean all  
8 service as a fire protection inspector member.

9 b. Election of twenty-five year improved benefit retirement program.

10 1. Subject to the provisions of paragraphs five and six of this subdivi-  
11 sion, any person who is a fire protection inspector member on the start-  
12 ing date of the twenty-five year improved benefit retirement program may  
13 elect to become a participant in the twenty-five year improved benefit  
14 retirement program by filing, within one hundred eighty days after such  
15 starting date, a duly executed application for such participation with  
16 the retirement system, provided he or she is such a fire protection  
17 inspector member on the date such application is filed.

18 2. Subject to the provision of paragraphs five and six of the this  
19 subdivision, any person who becomes a fire protection inspector member  
20 after the starting date of the twenty-five year improved benefit retire-  
21 ment program may elect to become a participant in the twenty-five year  
22 improved benefit retirement program by filing, within one hundred eighty  
23 days after becoming such a fire protection inspector member, a duly  
24 executed application for such participation with the retirement system,  
25 provided he or she is such a fire protection inspector member on the  
26 date such application is filed.

27 3. Any election to be a participant in the twenty-five year improved  
28 benefit retirement program shall be irrevocable.

29 4. Where any participant in the twenty-five year improved benefit  
30 retirement program shall cease to hold a position as a fire protection  
31 inspector member, he or she shall cease to be such a participant and,  
32 during any period in which such a person does not hold such a fire  
33 protection inspector position, he or she shall not be a participant in  
34 the twenty-five year improved benefit retirement program and shall not  
35 be eligible for the benefits of subdivision c of this section.

36 5. Where any participant in the twenty-five year improved benefit  
37 retirement program terminates service as a fire protection inspector  
38 member and returns to such service as a fire protection inspector member  
39 at a later date, he or she shall again become such a participant on that  
40 date.

41 6. Notwithstanding any other provision of law to the contrary, any  
42 person who is eligible to become a participant in the twenty-five year  
43 improved benefit retirement program pursuant to paragraph one or two of  
44 this subdivision for the full one hundred eighty day period provided for  
45 in such applicable paragraph and who fails to timely file a duly  
46 executed application for such participation with the retirement system,  
47 shall not thereafter be eligible to become a participant in such  
48 program.

49 c. Service retirement benefits. Notwithstanding any other provision of  
50 law to the contrary, where a participant in the twenty-five year  
51 improved benefit retirement program, who is otherwise qualified for a  
52 retirement allowance pursuant to the optional retirement provision set  
53 forth in subdivision a of this section, has made and/or paid, while he  
54 or she is a fire protection inspector member, all additional member  
55 contributions and interest (if any) required by subdivision d of this  
56 section, then:

1 1. that participant, while he or she remains a participant, shall not  
2 be subject to the provisions of subdivision a of section four hundred  
3 forty-five of this article; and

4 2. if that participant, while such a participant, retires from  
5 service, he or she shall not be subject to the provisions of section  
6 four hundred forty-four of this article; and

7 3. his or her retirement allowance shall be an amount, on account of  
8 the required minimum period of service, equal to the sum of (i) an annu-  
9 ity which shall be the actuarial equivalent of the accumulated  
10 deductions from his or her pay during such period, (ii) a pension for  
11 increased-take-home-pay which shall be the actuarial equivalent of the  
12 reserve for increased-take-home-pay to which he or she may be entitled,  
13 for such period, and (iii) a pension which, when added to such annuity  
14 and such pension for increased-take-home-pay, produces a retirement  
15 allowance equal to fifty percent of his or her final average salary,  
16 plus an amount for each additional year of allowable service as a fire  
17 protection inspector member, or fraction thereof, beyond such required  
18 minimum period of service equal to two percent of his or her final aver-  
19 age salary for such allowable service as a fire protection inspector  
20 member during the period from completion of twenty-five years of allow-  
21 able service as a fire protection inspector member to the date of  
22 retirement but not to exceed more than five years of additional service  
23 as a fire protection inspector member.

24 d. Additional member contributions. 1. In addition to the member  
25 contributions required pursuant to section 13-125 or 13-162 of the  
26 administrative code, each participant in the twenty-five year improved  
27 benefit retirement program shall contribute, subject to the applicable  
28 provisions of section 13-125.2 of the administrative code, an additional  
29 six and twenty-five one-hundredths percent of his or her compensation  
30 earned from all allowable service as a fire protection inspector member,  
31 as a participant in the twenty-five year improved benefit retirement  
32 program, rendered on and after the starting date of the improved benefit  
33 retirement program, and all allowable service as a fire protection  
34 inspector member after such person ceases to be a participant, but  
35 before he or she again becomes a participant pursuant to paragraph five  
36 of subdivision b of this section. A participant in the twenty-five year  
37 improved benefit retirement program shall contribute additional member  
38 contributions until the later of the date as of which he or she is  
39 eligible to retire with thirty years of allowable service as a fire  
40 protection inspector member under such retirement program, or the first  
41 anniversary of the starting date of the twenty-five year improved bene-  
42 fit retirement program. The additional contributions required by this  
43 section shall be in lieu of additional member contributions required by  
44 subdivision d of section four hundred forty-five-d of this chapter, as  
45 added by chapter ninety-six of the laws of nineteen hundred ninety-five,  
46 and no member paying additional contributions pursuant to this section  
47 shall be required to pay additional contributions pursuant to such  
48 subdivision d of section four hundred forty-five-d of this article.

49 2. Commencing with the first full payroll period after each person  
50 becomes a participant in the twenty-five year improved benefit retire-  
51 ment program, additional member contributions at the rate specified in  
52 paragraph one of this subdivision shall be deducted, subject to the  
53 applicable provisions of section 13-125.2 of the administrative code,  
54 from the compensation of such participant on each and every payroll of  
55 such participant for each and every payroll period for which he or she  
56 is such a participant.



1 3. (i) Subject to the provisions of subparagraph (ii) of this para-  
2 graph, where any additional member contributions required by paragraph  
3 one of this subdivision are not paid by deductions from a participant's  
4 compensation pursuant to paragraph two of this subdivision:

5 (A) that participant shall be charged with a contribution deficiency  
6 consisting of such unpaid amounts, together with interest thereon,  
7 compounded annually; and

8 (B) such interest on each amount of undeducted contributions shall  
9 accrue from the end of the payroll period for which such amount would  
10 have been deducted from compensation if he or she had been a participant  
11 at the beginning of that payroll period and such deductions had been  
12 required for such payroll period until such amount is paid to the  
13 retirement system; and

14 (C) (1) interest on each such amount included in such participant's  
15 contribution deficiency pursuant to this subparagraph shall be calcu-  
16 lated as if such additional member contributions never had been paid by  
17 such participant, and such interest shall accrue from the end of the  
18 payroll period to which an amount of such additional member contribution  
19 is attributable, compounded annually, until such amount is paid to the  
20 retirement system;

21 (2) the rate of interest to be applied to each such amount during the  
22 period for which interest accrues on that amount shall be equal to the  
23 rate or rates of interest required by law to be used during that same  
24 period to credit interest on the accumulated deductions of retirement  
25 system members;

26 (ii) Except as provided in subparagraph (iii) of this paragraph, no  
27 interest shall be due on any unpaid additional contributions which are  
28 not attributable to the period prior to the first full payroll period  
29 referred to in paragraph two of this subdivision;

30 (iii) Should any person who, pursuant to paragraph seven of this  
31 subdivision has withdrawn any additional member contributions (and any  
32 interest paid thereon) again become a participant in the twenty-five  
33 year improved benefit retirement program pursuant to paragraph five of  
34 subdivision b of this section, an appropriate amount shall be included  
35 in such participant's contribution deficiency (including interest there-  
36 on as calculated pursuant to this paragraph) for any credited service  
37 with respect to which such person received a refund of additional member  
38 contributions (including any amount of an unpaid loan balance deemed to  
39 have been returned to such person pursuant to paragraph seven of this  
40 subdivision), as if such additional member contributions never had been  
41 paid.

42 4. The board of trustees of the retirement system may, consistent with  
43 the provisions of this subdivision, promulgate regulations for the  
44 payment of the additional member contributions required by this subdivi-  
45 sion, and any interest thereon, by a participant in the twenty-five year  
46 improved benefit retirement program (including the deduction of such  
47 contributions, and any interest thereon, from his or her compensation).

48 5. Where a participant who is otherwise eligible for service retire-  
49 ment pursuant to subdivision c of this section did not, prior to the  
50 effective date of retirement, pay the entire amount of a contribution  
51 deficiency chargeable to him or her pursuant to paragraph three of this  
52 subdivision, or repay the entire amount of a loan of his or her addi-  
53 tional member contributions pursuant to paragraph eight of this subdivi-  
54 sion (including accrued interest on such loan), that participant, never-  
55 theless, shall be eligible to retire pursuant to subdivision c of this  
56 section, provided, however, that where such participant is not entitled

1 to a refund of additional member contributions pursuant to paragraph  
2 seven of this subdivision, such participant's service retirement benefit  
3 calculated pursuant to the applicable provisions of subdivision c of  
4 this section shall be reduced by a life annuity (calculated in accord-  
5 ance with the method set forth in subdivision i of section six hundred  
6 thirteen-b of this chapter) which is actuarially equivalent to (i) the  
7 amount of any unpaid contribution deficiency chargeable to such member  
8 pursuant to paragraph three of this subdivision; plus (ii) the amount of  
9 any unpaid balance of a loan of his or her additional member contrib-  
10 utions pursuant to paragraph eight of this subdivision (including  
11 accrued interest on such loan).

12 6. Subject to the provisions of paragraph five of this subdivision,  
13 where a participant has not paid in full any contribution deficiency  
14 chargeable to him or her pursuant to paragraph three of this subdivi-  
15 sion, and a benefit, other than a refund of a member's accumulated  
16 deductions or a refund of additional member contributions pursuant to  
17 paragraph seven of this subdivision, becomes payable by the retirement  
18 system to the participant or to his or her designated beneficiary or  
19 estate, the actuarial equivalent of any such unpaid amount shall be  
20 deducted from the benefit otherwise payable.

21 7. (i) All additional member contributions required by this subdivi-  
22 sion (and any interest thereon) which are received by the retirement  
23 system shall be paid into its contingent reserve fund and shall be the  
24 property of the retirement system. Such additional member contributions  
25 (and any interest thereon) shall not for any purpose be deemed to be  
26 member contributions or accumulated deductions of a member of the  
27 retirement system under section 13-125 or 13-162 of the administrative  
28 code while he or she is a participant in the twenty-five year improved  
29 benefit retirement program or otherwise.

30 (ii) Should a participant in the twenty-five year improved benefit  
31 retirement program, who has rendered less than fifteen years of credited  
32 service cease to hold a position as a fire protection inspector member  
33 for any reason whatsoever, his or her accumulated additional member  
34 contributions made pursuant to this subdivision (together with any  
35 interest thereon paid to the retirement system) which remain credited to  
36 such participant's account may be withdrawn by him or her pursuant to  
37 procedures promulgated in regulations of the board of trustees of the  
38 retirement system, together with interest thereon at the rate of inter-  
39 est required by law to be used to credit interest on the accumulated  
40 deductions of retirement system members compounded annually.

41 (iii) Notwithstanding any other provision of law to the contrary, (A)  
42 no person shall be permitted to withdraw from the retirement system any  
43 additional member contributions paid pursuant to this subdivision or any  
44 interest paid thereon, except pursuant to and in accordance with the  
45 preceding subparagraphs of this paragraph; and

46 (B) no person, while he or she is a participant in the twenty-five  
47 year improved benefit retirement program, shall be permitted to withdraw  
48 any such additional member contributions or any interest paid thereon  
49 pursuant to any of the preceding subparagraphs of this paragraph or  
50 otherwise.

51 8. A participant in the twenty-five year improved benefit retirement  
52 program shall be permitted to borrow from his or her additional member  
53 contributions, including any interest paid thereon, which are credited  
54 to the additional contributions account established for such participant  
55 in the contingent reserve fund of the retirement system. The borrowing  
56 from such additional member contributions pursuant to this paragraph

1 shall be governed by the same rights, privileges, obligations and proce-  
2 dures set forth in section six hundred thirteen-b of this chapter which  
3 govern the borrowing by members subject to article fifteen of this chap-  
4 ter of member contributions made pursuant to section six hundred thir-  
5 teen of this chapter. The board of trustees of the retirement system  
6 may, consistent with the provisions of this subdivision and the  
7 provisions of section six hundred thirteen-b of this chapter as made  
8 applicable to this subdivision, promulgate regulations governing the  
9 borrowing of such additional member contributions.

10 9. Wherever a person has an unpaid balance of a loan of his or her  
11 additional member contributions pursuant to paragraph eight of this  
12 subdivision at the time he or she becomes entitled to a refund of his or  
13 her additional member contributions pursuant to subparagraph (ii) of  
14 paragraph seven of this subdivision, the amount of such unpaid loan  
15 balance (including accrued interest) shall be deemed to have been  
16 returned to such member, and the refund of such additional contributions  
17 shall be the net amount of such contributions, together with interest  
18 thereon in accordance with the provisions of such subparagraph.

19 10. Notwithstanding any other provision of law to the contrary, the  
20 provisions of section one hundred thirty-eight-b of this chapter shall  
21 not be applicable to the additional member contributions which are  
22 required by this subdivision.

23 11. Notwithstanding any other provision of law to the contrary, the  
24 additional member contributions which are required by this subdivision  
25 shall not be reduced under any program for increased-take-home-pay.

26 e. The provisions of this section shall not be construed to provide  
27 benefits to any participant in the twenty-five year improved benefit  
28 retirement program which are greater than those which would be received  
29 by a similarly situated member who is entitled to benefits under the  
30 provisions of section 13-157.2 of the administrative code, but who is  
31 not governed by the provisions of this article.

32 § 4. The retirement and social security law is amended by adding a new  
33 section 604-j to read as follows:

34 § 604-j. Twenty-five year retirement program for fire protection  
35 inspector members. a. Definitions. The following words and phrases as  
36 used in this section shall have the following meanings unless a differ-  
37 ent meaning is plainly required by the context.

38 1. "Fire protection inspector member" shall mean a member who is  
39 employed by the city of New York or by the New York city fire department  
40 in a title whose duties are those of a fire protection inspector or  
41 associate fire protection inspector; or in a title whose duties require  
42 the supervision of employees whose duties are those of a fire protection  
43 inspector or associate fire protection inspector.

44 2. "Twenty-five year retirement program" shall mean all the terms and  
45 conditions of this section.

46 3. "Starting date of the twenty-five year retirement program" shall  
47 mean the effective date of this section.

48 4. "Participant in the twenty-five year retirement program" shall mean  
49 any fire protection inspector member who, under the applicable  
50 provisions of subdivision b of this section, is entitled to the rights,  
51 benefits and privileges and is subject to the obligations of the twen-  
52 ty-five year retirement program, as applicable to him or her.

53 5. "Discontinued member" shall mean a participant in the twenty-five  
54 year retirement program who, while he or she was a fire protection  
55 inspector member, discontinued service as such a member and has a right  
56 to a deferred vested benefit under subdivision d of this section.

1 6. "Administrative code" shall mean the administrative code of the  
2 city of New York.

3 7. "Allowable service as a fire protection inspector member" shall  
4 mean all service as a fire protection inspector member.

5 b. Participation in the twenty-five year retirement program. 1.  
6 Subject to the provisions of paragraphs six and seven of this subdivi-  
7 sion, any person who is a fire protection inspector member on the start-  
8 ing date of the twenty-five year retirement program and who, as such a  
9 fire protection inspector member or otherwise, last became subject to  
10 the provisions of this article prior to such starting date, may elect to  
11 become a participant in the twenty-five year retirement program by  
12 filing, within one hundred eighty days after the starting date of the  
13 twenty-five year retirement program, a duly executed application for  
14 such participation with the retirement system of which such person is a  
15 member, provided he or she is such a fire protection inspector member on  
16 the date such application is filed.

17 2. Subject to the provisions of paragraphs six and seven of this  
18 subdivision, any person who becomes a fire protection inspector member  
19 after the starting date of the twenty-five year retirement program and  
20 who, as such a fire protection inspector member or otherwise, last  
21 became subject to the provisions of this article prior to such starting  
22 date, may elect to become a participant in the twenty-five year retire-  
23 ment program by filing, within one hundred eighty days after becoming  
24 such a fire protection inspector member, a duly executed application for  
25 such participation with the retirement system for which such person is a  
26 member, provided he or she is such a fire protection inspector member on  
27 the date such application is filed.

28 3. Each fire protection inspector member, other than a fire protection  
29 inspector member subject to paragraph one or two of this subdivision,  
30 who becomes subject to the provisions of this article on or after the  
31 starting date of the twenty-five year retirement program shall become a  
32 participant in the twenty-five year retirement program on the date he or  
33 she becomes such a fire protection inspector member. Provided, however,  
34 a person subject to this paragraph, and who has exceeded age twenty-five  
35 upon employment as a fire protection inspector member, shall be exempt  
36 from participation in the improved twenty-five year retirement program  
37 if such person elects not to participate by filing a duly executed form  
38 with the retirement system within one hundred eighty days of becoming a  
39 fire protection inspector member.

40 4. Any election to be a participant in the twenty-five year retirement  
41 program shall be irrevocable.

42 5. Where any participant in the twenty-five year retirement program  
43 shall cease to be employed as a fire protection inspector member, he or  
44 she shall cease to be such a participant and, during any period in which  
45 such person is not so employed, he or she shall not be a participant in  
46 the twenty-five year retirement program and shall not be eligible for  
47 the benefits of subdivision c of this section.

48 6. Where any participant in the twenty-five year retirement program  
49 terminates service as a fire protection inspector member and returns to  
50 such service as a fire protection inspector member at a later date, he  
51 or she shall again become such a participant on that date.

52 7. Notwithstanding any other provision of the law to the contrary, any  
53 person who is eligible to elect to become a participant in the twenty-  
54 five year retirement program pursuant to paragraph one or two of this  
55 subdivision for the full one hundred eighty day period provided for in  
56 such applicable paragraph and who fails to timely file a duly executed

1 application for such participation with the retirement system, shall not  
2 thereafter be eligible to become a participant in such program.

3 c. Service retirement benefits. 1. A participant in the twenty-five  
4 year retirement program:

5 (i) who has completed twenty-five or more years of allowable service  
6 as a fire protection inspector member; and

7 (ii) who has paid, before the effective date of retirement, all addi-  
8 tional member contributions and interest (if any) required by subdivi-  
9 sion e of this section; and

10 (iii) who files with the retirement system of which he or she is a  
11 member an application for service retirement setting forth at what time,  
12 not less than thirty days subsequent to the execution and filing there-  
13 of, he or she desires to be retired; and

14 (iv) who shall be a participant in the twenty-five year retirement  
15 program at the time so specified for his or her retirement; shall be  
16 retired pursuant to the provisions of this section affording early  
17 service retirement.

18 2. Notwithstanding the provisions of subdivision a-1 of section six  
19 hundred three of this article, or any other provision of law to the  
20 contrary, and subject to the provisions of paragraph six of subdivisi-  
21 on e of this section, the early service retirement benefit for participants  
22 in the twenty-five year retirement program who retire pursuant to para-  
23 graph one of this subdivision shall be a retirement allowance consisting  
24 of:

25 (i) an amount, on account of the required minimum period of service,  
26 equal to fifty percent of his or her final average salary; plus

27 (ii) an amount on account of allowable service as a fire protection  
28 inspector member, or fraction thereof, beyond such required minimum  
29 period of service equal to two percent of his or her final salary for  
30 such allowable service as a fire protection inspector member during the  
31 period from completion of twenty-five years of allowable service as a  
32 fire protection inspector member to the date of retirement but not to  
33 exceed more than five years of additional service as a fire protection  
34 inspector member.

35 d. Vesting. 1. A participant in the twenty-five year retirement  
36 program:

37 (i) who discontinues service as such a participant, other than by  
38 death or retirement; and

39 (ii) in the case of a participant who is not a New York city revised  
40 plan member, who prior to such discontinuance, completed five but less  
41 than twenty-five years of allowable service as a fire protection inspec-  
42 tor member or, in the case of a participant who is a New York city  
43 revised plan member, who prior to such discontinuance, completed ten but  
44 less than twenty-five years of allowable service as a fire protection  
45 inspector member; and

46 (iii) who, subject to the provisions of paragraph seven of subdivisi-  
47 on e of this section, has paid, prior to such discontinuance, all addi-  
48 tional member contributions and interest (if any) required by subdivi-  
49 sion e of this section; and

50 (iv) who does not withdraw in whole or in part his or her accumulated  
51 member contributions pursuant to section six hundred thirteen of this  
52 article unless such participant thereafter returns to public service and  
53 repays the amounts so withdrawn, together with interest, pursuant to  
54 such section six hundred thirteen; shall be entitled to receive a  
55 deferred vested benefit as provided in this subdivision.

1     2. (i) Upon such discontinuance under the conditions and in compliance  
2 with the provisions of paragraph one of this subdivision, such deferred  
3 vested benefit shall vest automatically.

4     (ii) In the case of a participant who is not a New York city revised  
5 plan member, such vested benefit shall become payable on the earliest  
6 date on which such discontinued member could have retired for service if  
7 such discontinuance had not occurred or, in the case of a participant  
8 who is a New York city revised plan member, such vested benefit shall  
9 become payable at age sixty-three. Subject to the provisions of para-  
10 graph seven of subdivision e of this section, such deferred vested bene-  
11 fit shall be a retirement allowance consisting of an amount equal to two  
12 percent of such discontinued member's final average salary, multiplied  
13 by the number of years of credited service.

14     e. Additional member contributions. 1. In addition to the member  
15 contributions required by section six hundred thirteen of this article,  
16 each participant in the twenty-five year retirement program shall  
17 contribute to the retirement system of which he or she is a member  
18 (subject to the applicable provisions of subdivision d of section six  
19 hundred thirteen of this article and subject to the limitation provided  
20 for in paragraph two of this subdivision) an additional six and twenty-  
21 five one-hundredths percent of his or her compensation earned from (i)  
22 all allowable service, as a participant in the twenty-five year retire-  
23 ment program, rendered on or after the starting date of the twenty-five  
24 year retirement program, and (ii) all allowable service after such  
25 person ceases to be a participant, but before he or she again becomes a  
26 participant pursuant to paragraph six of subdivision b of this section.  
27 The additional contributions required by this section shall be in lieu  
28 of additional member contributions required by subdivision d of section  
29 six hundred four-c of this article, as added by chapter ninety-six of  
30 the laws of nineteen hundred ninety-five, and no member making addi-  
31 tional contributions pursuant to this section shall be required to make  
32 contributions pursuant to such subdivision d of section six hundred  
33 four-c of this article. Notwithstanding the foregoing provisions of this  
34 paragraph, the additional member contribution required to be paid by  
35 each participant pursuant to this paragraph shall not exceed the  
36 percentage of his or her compensation that, when added to the contrib-  
37 ution made pursuant to subdivision d of section six hundred thirteen of  
38 this article, equals nine and twenty-five one-hundredths percent of that  
39 compensation.

40     2. A participant in the twenty-five year retirement program shall  
41 contribute additional member contributions until the later of (i) the  
42 first anniversary of the starting date of the twenty-five year retire-  
43 ment program, or (ii) the date on which he or she completes thirty years  
44 of allowable service as a fire protection inspector member.

45     3. Commencing with the first full payroll period after each person  
46 becomes a participant in the twenty-five year retirement program, addi-  
47 tional member contributions at the rate specified in paragraph one of  
48 this subdivision shall be deducted (subject to the applicable provisions  
49 of subdivision d of section six hundred thirteen of this article) from  
50 the compensation of such participant on each and every payroll of such  
51 participant for each and every payroll period for which he or she is  
52 such a participant.

53     4. (i) Each participant in the twenty-five year retirement program  
54 shall be charged with a contribution deficiency consisting of the total  
55 amounts of additional member contributions such person is required to  
56 make pursuant to paragraphs one and two of this subdivision which are

1 not deducted from his or her compensation pursuant to paragraph three of  
2 this subdivision, if any, together with interest thereon, compounded  
3 annually, and computed in accordance with the provisions of subpara-  
4 graphs (ii) and (iii) of this paragraph.

5 (ii) (A) The interest required to be paid on each such amount speci-  
6 fied in subparagraph (i) of this paragraph shall accrue from the end of  
7 the payroll period for which such amount would have been deducted from  
8 compensation if he or she had been a participant at the beginning of  
9 that payroll period and such deduction had been required for such  
10 payroll period, until such amount is paid to the retirement system.

11 (B) The rate of interest to be applied to each such amount during the  
12 period for which interest accrues on that amount shall be equal to the  
13 rate or rates of interest required by law to be used during that same  
14 period to credit interest on the accumulated deductions of retirement  
15 system members.

16 (iii) Except as otherwise provided in paragraph five of this subdivi-  
17 sion, no interest shall be due on any unpaid additional member contrib-  
18 utions which are not attributable to a period prior to the first full  
19 payroll period referred to in paragraph three of this subdivision.

20 5. (i) Should any person who, pursuant to subparagraph (ii) of para-  
21 graph ten of this subdivision, has received a refund of his or her addi-  
22 tional member contribution including any interest paid on such contrib-  
23 utions, again become a participant in the twenty-five year retirement  
24 program pursuant to paragraph six of subdivision b of this section, an  
25 appropriate amount shall be included in such participant's contribution  
26 deficiency (including interest thereon as calculated pursuant to subpar-  
27 agraph (ii) of this paragraph) for any credited service for which such  
28 person received a refund of such additional member contributions  
29 (including any amount of an unpaid loan balance deemed to have been  
30 returned to such person pursuant to paragraph twelve of this subdivi-  
31 sion), as if such additional member contributions never had been paid.

32 (ii)(A) Interest on a participant's additional member contributions  
33 included in such participant's contribution deficiency pursuant to  
34 subparagraph (i) of this paragraph shall be calculated as if such addi-  
35 tional member contributions had never been paid by such participant, and  
36 such interest shall accrue from the end of the payroll period to which  
37 an amount of such additional member contributions is attributable, until  
38 such amount is paid to the retirement system.

39 (B) The rate of interest to be applied to each such amount during the  
40 period for which interest accrues on that amount shall be five percent  
41 per annum, compounded annually.

42 6. Where a participant who is otherwise eligible for service retire-  
43 ment pursuant to subdivision c of this section did not, prior to the  
44 effective date of retirement, pay the entire amount of a contribution  
45 deficiency chargeable to him or her pursuant to paragraphs four and five  
46 of this subdivision, or repay the entire amount of a loan of his or her  
47 additional member contributions pursuant to paragraph eleven of this  
48 subdivision (including accrued interest on such loan), that participant,  
49 nevertheless, shall be eligible to retire pursuant to subdivision c of  
50 this section, provided, however, that such participant's service retire-  
51 ment benefit calculated pursuant to paragraph two of such subdivision c  
52 of this section shall be reduced by a life annuity (calculated in  
53 accordance with the method set forth in subdivision i of section six  
54 hundred thirteen-b of this article) which is actuarially equivalent to:

1 (i) the amount of any unpaid contribution deficiency chargeable to  
2 such member pursuant to paragraphs four and five of this subdivision;  
3 plus

4 (ii) the amount of any unpaid balance of a loan of his or her addi-  
5 tional member contributions pursuant to paragraph eleven of this subdi-  
6 vision (including accrued interest on such loan).

7 7. Where a participant who is otherwise eligible for a vested right to  
8 a deferred benefit pursuant to subdivision d of this section did not,  
9 prior to the date of discontinuance of service, pay the entire amount of  
10 a contribution deficiency chargeable to him or her pursuant to para-  
11 graphs four and five of this subdivision, or repay the entire amount of  
12 a loan of his or her additional member contributions pursuant to para-  
13 graph eleven of this subdivision (including accrued interest on such  
14 loan), that participant, nevertheless, shall have a vested right to a  
15 deferred benefit pursuant to subdivision d of this section provided,  
16 however, that the deferred vested benefit calculated pursuant to para-  
17 graph two of subdivision d of this section shall be reduced by a life  
18 annuity (calculated in accordance with the method set forth in subdivi-  
19 sion i of section six hundred thirteen-b of this article) which is actu-  
20 arially equivalent to:

21 (i) the amount of any unpaid contribution chargeable to such member  
22 pursuant to paragraphs four and five of this subdivision; plus

23 (ii) the amount of any unpaid balance of a loan of his or her addi-  
24 tional member contributions pursuant to paragraph eleven of this subdi-  
25 vision (including accrued interest on such a loan).

26 8. The head of a retirement system which includes participants in the  
27 twenty-five year retirement program in its membership may, consistent  
28 with the provisions of this subdivision, promulgate regulations for the  
29 payment of such additional member contributions, and any interest there-  
30 on, by such participants (including the deduction of such contributions,  
31 and any interest thereon, from the participant's compensation).

32 9. Subject to the provisions of paragraphs six and seven of this  
33 subdivision, where a participant has not paid in full any contribution  
34 deficiency chargeable to him or her pursuant to paragraphs four and five  
35 of this subdivision, and a benefit, other than a refund of member  
36 contributions pursuant to section six hundred thirteen of this article  
37 or a refund of additional member contributions pursuant to subparagraph  
38 (ii) of paragraph ten of this subdivision, becomes payable under this  
39 article to the participant or to his or her designated beneficiary or  
40 estate, the actuarial equivalent of any such unpaid amount shall be  
41 deducted from the benefit otherwise payable.

42 10. (i) Such additional member contributions (and any interest there-  
43 on) shall be paid into the contingent reserve fund of the retirement  
44 system of which the participant is a member and shall not for any  
45 purpose be deemed to be member contributions or accumulated contrib-  
46 utions of a member under section six hundred thirteen of this article or  
47 otherwise while he or she is a participant in the twenty-five year  
48 retirement program or otherwise.

49 (ii) Should a participant in the twenty-five year retirement program  
50 who has rendered less than fifteen years of credited service cease to  
51 hold a position as a fire protection inspector member for any reason  
52 whatsoever, his or her accumulated additional member contributions made  
53 pursuant to this subdivision (together with any interest thereon paid to  
54 the retirement system) may be withdrawn by him or her pursuant to proce-  
55 dures promulgated in regulations of the board of trustees of the retire-



1 ment system, together with interest thereon at the rate of five percent  
2 per annum, compounded annually.

3 (iii) Notwithstanding any other provision of law to the contrary, (A)  
4 no person shall be permitted to withdraw from the retirement system any  
5 additional member contributions paid pursuant to this subdivision or any  
6 interest paid thereon, except pursuant to and in accordance with the  
7 preceding subparagraphs of this paragraph; and (B) no person, while he  
8 or she is a participant in the twenty-five year retirement program,  
9 shall be permitted to withdraw any such additional member contributions  
10 or any interest paid thereon pursuant to any of the preceding subpara-  
11 graphs of this paragraph or otherwise.

12 11. A participant in the twenty-five year retirement program shall be  
13 permitted to borrow from his or her additional member contributions  
14 (including any interest paid thereon) which are credited to the addi-  
15 tional contributions account established for such participant in the  
16 contingent reserve fund of the retirement system. The borrowing from  
17 such additional member contributions pursuant to this paragraph shall be  
18 governed by the rights, privileges, obligations and procedures set forth  
19 in section six hundred thirteen-b of this article which govern the  
20 borrowing of member contributions made pursuant to section six hundred  
21 thirteen of this article. The board of trustees of the retirement system  
22 may, consistent with the provisions of this subdivision and the  
23 provisions of section six hundred thirteen-b of this article as made  
24 applicable to this subdivision, promulgate regulations governing the  
25 borrowing of such additional member contributions.

26 12. Whenever a person has an unpaid balance of a loan or his or her  
27 additional member contributions pursuant to paragraph eleven of this  
28 subdivision at the time he or she becomes entitled to a refund of his or  
29 her additional member contributions pursuant to subparagraph (ii) of  
30 paragraph ten of this subdivision, the amount of such unpaid loan  
31 balance (including accrued interest) shall be deemed to have been  
32 returned to such member, and the refund of such additional contributions  
33 shall be the net amount of such contribution, together with interest  
34 thereon in accordance with the provisions of such subparagraph (ii).

35 § 5. Subdivision d of section 613 of the retirement and social securi-  
36 ty law is amended by adding a new paragraph 12 to read as follows:

37 12. (i) The city of New York shall, in the case of a fire protection  
38 inspector member (as defined in paragraph one of subdivision a of  
39 section six hundred four-j of this article) who is a participant in the  
40 twenty-five year retirement program (as defined in paragraph four of  
41 subdivision a of such section six hundred four-j), pick up and pay to  
42 the retirement system of which such participant is a member all addi-  
43 tional member contributions which otherwise would be required to be  
44 deducted from such member's compensation pursuant to paragraphs one and  
45 two of subdivision e of such section six hundred four-j of this article  
46 (not including any additional member contributions due for any period  
47 prior to the first full payroll period referred to in such paragraph  
48 three of such subdivision e), and shall effect such pick up in each and  
49 every payroll of such participant for each and every payroll period with  
50 respect to which such paragraph three would otherwise require such  
51 deductions.

52 (ii) An amount equal to the amount of additional contributions picked  
53 up pursuant to this paragraph shall be deducted by such employer from  
54 the compensation of such member (as such compensation would be in the  
55 absence of a pick up program applicable to him or her hereunder) and  
56 shall not be paid to such member.

1 (iii) The additional member contributions picked up pursuant to this  
2 paragraph for any such member shall be paid by such employer in lieu of  
3 an equal amount of additional member contributions otherwise required to  
4 be paid by such member under the applicable provisions of subdivision e  
5 of section six hundred four-j of this article, and shall be deemed to be  
6 and treated as employer contributions pursuant to section 414(h) of the  
7 Internal Revenue Code.

8 (iv) For the purpose of determining the retirement system rights,  
9 benefits and privileges of any member whose additional member contrib-  
10 utions are picked up pursuant to this paragraph, such picked up addi-  
11 tional member contributions shall be deemed to be and treated as part of  
12 such member's additional member contributions under the applicable  
13 provisions of subdivision e of section six hundred four-j of this arti-  
14 cle.

15 (v) With the exception of federal income tax treatment, the additional  
16 member contributions picked up pursuant to subparagraph (i) of this  
17 paragraph shall for all other purposes, including computation of retire-  
18 ment benefits and contributions by employers and employees, be deemed  
19 employee salary. Nothing contained in this subdivision shall be  
20 construed as superseding the provisions of section four hundred thirty-  
21 one of this chapter, or any similar provision of law which limits the  
22 salary base for computing retirement benefits payable by a public  
23 retirement system.

24 § 6. Section 13-125.2 of the administrative code of the city of New  
25 York is amended by adding a new subdivision a-9 to read as follows:

26 a-9. Notwithstanding any other provision of law to the contrary, on or  
27 after the starting date for pick up, the employer responsible for pick  
28 up shall, in the case of a fire protection inspector member (as defined  
29 in paragraph two of subdivision a of section four hundred forty-five-j  
30 of the retirement and social security law) who is a participant in the  
31 twenty-five year improved benefit retirement program (as defined in  
32 paragraph three of such subdivision a), pick up and pay to the retire-  
33 ment system all additional member contributions which otherwise would be  
34 required to be deducted from such member's compensation pursuant to  
35 subdivision d of such section four hundred forty-five-j, and shall  
36 effect such pick up on each and every payroll of such participant for  
37 each and every payroll period with respect to which such subdivision d  
38 would otherwise require such deductions.

39 § 7. Subparagraph (ii) of paragraph 1 of subdivision c of section  
40 13-125.2 of the administrative code of the city of New York, as amended  
41 by chapter 682 of the laws of 2003, is amended to read as follows:

42 (ii) the determination of the amount of such member's Tier I or Tier  
43 II nonuniformed-force member contributions eligible for pick up by the  
44 employer or additional member contributions required to be picked up  
45 pursuant to subdivision a-one, subdivision a-two, subdivision a-three,  
46 subdivision a-four, subdivision a-five, subdivision a-six, subdivision  
47 a-seven or subdivision a-eight of this section, or subdivision a-nine of  
48 this section; and

49 § 8. Subdivision d of section 13-125.2 of the administrative code of  
50 the city of New York is amended by adding a new paragraph 2-h to read as  
51 follows:

52 (2-h) For the purpose of determining the retirement system rights,  
53 benefits and privileges of any member who is a participant in the twen-  
54 ty-five year retirement program (as defined in paragraph three of subdi-  
55 vision a of section four hundred forty-five-j of the retirement and  
56 social security law), the additional member contributions of such

1 participant picked up pursuant to subdivision a-nine of this section  
2 shall be deemed to be and treated as a part of such member's additional  
3 contributions under subdivision d of such section four hundred forty-  
4 five-j.

5 § 9. Paragraph 3 of subdivision d of section 13-125.2 of the adminis-  
6 trative code of the city of New York, as amended by chapter 682 of the  
7 laws of 2003, is amended to read as follows:

8 (3) Interest on contributions picked up for any Tier I or Tier II  
9 non-uniformed-force member pursuant to this section (other than addi-  
10 tional member contributions picked up pursuant to subdivision a-one,  
11 subdivision a-two, subdivision a-three, subdivision a-four, subdivision  
12 a-five, subdivision a-six, subdivision a-seven [~~or~~], subdivision  
13 a-eight, or subdivision a-nine of this section) shall accrue in favor of  
14 the member and be payable to the retirement system at the same rate, for  
15 the same time periods, in the same manner and under the same circum-  
16 stances as interest would be required to accrue in favor of the member  
17 and be payable to the retirement system on such contributions if they  
18 were made by such member in the absence of a pick up program applicable  
19 to such member under the provisions of this section.

20 § 10. Subdivision a of section 603 of the retirement and social secu-  
21 rity law, as amended by chapter 18 of the laws of 2012, is amended to  
22 read as follows:

23 a. The service retirement benefit specified in section six hundred  
24 four of this article shall be payable to members who have met the mini-  
25 mum service requirements upon retirement and attainment of age sixty-  
26 two, other than members who are eligible for early service retirement  
27 pursuant to subdivision c of section six hundred four-b of this article,  
28 subdivision c of section six hundred four-c of this article, subdivision  
29 d of section six hundred four-d of this article, subdivision c of  
30 section six hundred four-e of this article, subdivision c of section six  
31 hundred four-f of this article, subdivision c of section six hundred  
32 four-g of this article, subdivision c of section six hundred four-h of  
33 this article [~~or~~] subdivision c of section six hundred four-i of this  
34 article, or subdivision c of section six hundred four-j of this article,  
35 provided, however, a member of a teachers' retirement system or the New  
36 York state and local employees' retirement system who first joins such  
37 system before January first, two thousand ten or a member who is a  
38 uniformed court officer or peace officer employed by the unified court  
39 system who first becomes a member of the New York state and local  
40 employees' retirement system before April first, two thousand twelve may  
41 retire without reduction of his or her retirement benefit upon attain-  
42 ment of at least fifty-five years of age and completion of thirty or  
43 more years of service, provided, however, that a uniformed court officer  
44 or peace officer employed by the unified court system who first becomes  
45 a member of the New York state and local employees' retirement system on  
46 or after January first, two thousand ten and retires without reduction  
47 of his or her retirement benefit upon attainment of at least fifty-five  
48 years of age and completion of thirty or more years of service pursuant  
49 to this section shall be required to make the member contributions  
50 required by subdivision f of section six hundred thirteen of this arti-  
51 cle for all years of credited and creditable service, provided further  
52 that the [~~the~~] preceding provisions of this subdivision shall not apply  
53 to a New York city revised plan member.

54 § 11. Nothing contained in sections five and ten of this act shall be  
55 construed to create any contractual right with respect to members to  
56 whom such sections apply. The provisions of such sections are intended

1 to afford members the advantages of certain benefits contained in the  
 2 internal revenue code, and the effectiveness and existence of such  
 3 sections and benefits they confer are completely contingent thereon.

4 § 12. This act shall take effect immediately, provided, however that:

5 (a) The provisions of sections five and ten of this act shall remain  
 6 in full force and effect only so long as, pursuant to federal law,  
 7 contributions picked up under such sections are not includable as gross  
 8 income of a member for federal income tax purposes until distributed or  
 9 made available to the member; provided that the New York city employees'  
 10 retirement system shall notify the legislative bill drafting commission  
 11 upon the occurrence of such a change in federal law ruling affecting the  
 12 provisions of this act in order that the commission may maintain an  
 13 accurate and timely effective data base of the official text of the laws  
 14 of the state of New York in furtherance of effectuating the provisions  
 15 of section 44 of the legislative law and section 70-b of the public  
 16 officers law;

17 (b) The amendments to section 13-125.2 of the administrative code of  
 18 the city of New York made by sections six, seven, eight, and nine of  
 19 this act shall not affect the expiration of such section and shall be  
 20 deemed to expire therewith; and

21 (c) The amendments to subdivision a of section 603 of the retirement  
 22 and social security law made by section ten of this act shall not affect  
 23 the expiration of such subdivision and shall be deemed to expire there-  
 24 with.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend Administrative Code of the City of New York (ACCNYS) Section 13-125.2 and Retirement and Social Security Law (RSSL) Sections 444, 445, 603, and 613, and add ACCNY Section 13-157.5 and RSSL Sections 445-j and 604-j to establish a 25-Year Retirement Program for Fire Protection Inspectors (FPI 25-Year Plan) for each tier.

Effective Date: Upon enactment.

BACKGROUND: Members whose duties are one of the following are eligible to participate in the FPI 25-Year Plans:

- \* Fire Protection Inspector,
- \* Associate Fire Protection Inspector,
- \* Supervisor of employees whose duties are those of a fire protection inspector, and
- \* Supervisor of employees whose duties are those of an associate fire protection inspector.

For the purposes of this Fiscal Note, these members are collectively referred to as "Fire Protection Inspectors."

Participation in an applicable FPI 25-Year Plan is optional for anyone who is eligible to participate in such Plan on the date of enactment by filing an election form within 180 days of enactment. Anyone who is an existing member of the New York City Employees' Retirement System (NYCERS) on the date of enactment and subsequently becomes employed as a Fire Protection Inspector also has 180 days to elect to join the applicable FPI 25-Year Plan.

Any Fire Protection Inspector who becomes a NYCERS member after the date of enactment is mandated into the Tier 6 FPI 25-Year Plan. However, if the member exceeds age 25 upon being mandated into the FPI 25-Year Plan, the member has the option, within 180 days of becoming a Fire Protection Inspector, to elect not to participate.

IMPACT ON BENEFITS: Currently, Fire Protection Inspectors generally participate in one of the NYCERS general plans (i.e., basic Tier 4 62/5

Plan, Tier 6 63/10 Plan, or Improved Tier 4 57/5, 55/25 Plans). Note that since there are no active Tier 2 Fire Protection Inspectors remaining, the following summary of the FPI 25-Year Plans is for Tier 4 and Tier 6 members only.

The proposed legislation, if enacted, would provide the following benefits to Fire Protection Inspectors under the FPI 25-Year Plans:

- \* Service retirement benefit:
  - o 50% of Final Average Salary (FAS) for the first 25 years of Allowable Service, plus
  - o 2% of FAS for each additional year of Allowable Service, or fraction thereof, exceeding 25 years up to a maximum of 30 years of such service.
- \* Final Average Salary:
  - o Tier 4 - Three Year Average (FAS3).
  - o Tier 6 - Five Year Average (FAS5).
- \* Vested benefit:
  - o Eligibility:
    - \* Tier 4 - At least five, but less than 25, years of Allowable Service.
    - \* Tier 6 - At least 10, but less than 25, years of Allowable Service.
  - o Payable at:
    - \* Tier 4 - The date the member would have completed 25 years of Allowable Service.
    - \* Tier 6 - Age 63.
  - o Amount:
    - \* 2% of FAS for each year of Allowable Service.

\* Other benefits: Members of the proposed FPI 25-Year Plans are entitled to the same disability and death benefits as other Tier 4 and Tier 6 members under the respective basic plans.

ADDITIONAL MEMBER CONTRIBUTIONS: Members of an FPI 25-Year Plan are required to make, in addition to the Tier 4 Basic Member Contributions (BMC) of 3% and the Tier 6 BMC ranging from 3% to 6% depending on defined salary scales, Additional Member Contributions (AMC) equal to 6.25% of compensation for all service as a Plan participant on and after the starting date of the Plan until the later of the one-year anniversary of the effective date of the Plans or 30 years of Allowable Service. In no event shall BMC plus AMC exceed 9.25% of compensation.

FINANCIAL IMPACT - PRESENT VALUES: Based on the anticipated group of members joining the FPI 25-Year Plans and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately \$2.6 million and increase the Present Value of member contributions by approximately \$1.4 million. The net result is an increase in the Present Value of future employer contributions of approximately \$1.2 million.

Under the Entry Age Normal cost method used to determine the employer contributions to NYCERS, there would be an increase in the Unfunded Accrued Liability (UAL) of approximately \$1.1 million plus an increase in the Present Value of future employer Normal Cost of \$0.1 million.

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: In accordance with Section 13-638.2(k-2) of the ACCNY, new UAL attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of the Fire Protection Inspectors assumed to join the FPI 25-Year Plans is approximately 12 years.

For the purposes of this Fiscal Note, the increase in UAL was amortized over a 12-year period (eleven payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This payment plus the increase in the Normal Cost results in an increase in annual employer contributions of approximately \$290,000 each year.

**CONTRIBUTION TIMING:** For the purposes of this Fiscal Note, it is assumed that the changes in the Present Value of future employer contributions and annual employer contributions would be reflected for the first time in the Preliminary June 30, 2022 actuarial valuation of NYCERS. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2024.

**CENSUS DATA:** The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of NYCERS to determine the Preliminary Fiscal Year 2023 employer contributions.

The 66 NYCERS Fire Protection Inspectors as of June 30, 2021 assumed to join the FPI 25-Year Plans had an average age of approximately 42.3 years, average service of approximately 15.2 years, and an average salary of approximately \$79,700.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The changes in the Present Value of future employer contributions and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the Preliminary June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of NYCERS.

To determine the impact of the elective nature of the proposed legislation, a subgroup of NYCERS Fire Protection Inspectors was developed based on who could potentially benefit actuarially. The net Present Value of future employer costs (i.e., the PVFB less the Present Value of future member contributions) of each member's benefit was determined under their current plan and under the applicable FPI 25-Year Plan. If the net Present Value of future employer cost under the FPI 25-Year Plan was greater than or equal to the Present Value of future employer cost under the member's current plan, the member was deemed to benefit actuarially.

Based on this analysis, it was determined that those members who are mandated into the FPI 25-Year Plan in the future will generally not benefit under the Plan (i.e., they will have a decrease in Present Value of future employer costs as compared to the Tier 6 63/10 Plan they would otherwise participate in, absent this proposed legislation), and therefore the costs presented in this Fiscal Note are borne only from current NYCERS members who are assumed to benefit from, and thus opt to join, the FPI-25 Year Plan.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of NYCERS and other New York City agencies to implement the proposed legislation.

\* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-37 dated April 27, 2022 was prepared by the Interim Chief Actuary for the New York City Employees' Retirement System. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 129

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"



Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

9296

IN SENATE

May 13, 2022

Introduced by Sen. RYAN -- (at request of the New York State Teachers' Retirement System) -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service

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

1 Section 1. Subdivision 11 of section 503 of the education law, as  
2 added by chapter 507 of the laws of 1972 and as renumbered by chapter  
3 512 of the laws of 1976, is amended to read as follows:

4 11. a. If a retired member, receiving a retirement allowance for other  
5 than disability, returns to active public service, except as otherwise  
6 provided in [~~sections~~] section two hundred eleven or two [~~hyndred~~  
7 hundred twelve of the retirement and social security law, and is eligi-  
8 ble for membership in the retirement system, he [~~thereupon~~] or she shall  
9 become a member and his or her retirement allowance shall be suspended  
10 in the same manner as provided in subdivision five of this section [~~five~~  
11 ~~hundred three of this article. In such event, he shall contribute to the~~  
12 ~~retirement system as if he were a new member~~]. Upon [~~his~~] subsequent  
13 retirement [~~after at least two years of service he~~] they shall:

14 1. Be credited with all member service earned [~~by him~~] since he or she  
15 last became a member of the retirement system, and

16 2. Receive a retirement allowance which shall consist of[+]

17 ~~(a) An annuity as provided in subdivision five of section five hundred~~  
18 ~~three of this article plus an annuity which is the actuarial equivalent~~  
19 ~~of any contributions made by him since he last became a member, and~~

20 ~~(b) The~~ the pension which he or she was receiving immediately prior  
21 to his or her last restoration to membership as provided in subdivision  
22 five of this section [~~five hundred three of this article~~], plus a  
23 pension based upon the [~~member~~] service credit earned [~~by him~~] since he  
24 or she last became a member. Such latter pension shall be computed as if

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

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1 ~~he~~ they were a new member when he or she rejoined the system pursuant  
2 to the provisions of this subdivision.

3 b. Where such member shall have earned at least [~~five~~] two years of  
4 [~~member~~] service credit after restoration to active service, the total  
5 service credit to which he or she was entitled at the time of [~~his~~] the  
6 earlier retirement may, at his or her option, again be credited to him  
7 or her and upon [~~his~~] subsequent retirement he or she shall be credited  
8 in addition for purposes of computation of the pension portion of the  
9 retirement allowance with all [~~member~~] service credit earned by him or  
10 her subsequent to [~~his~~] the last restoration to membership. Such total  
11 service credit to which he or she was entitled at the time of [~~his~~] the  
12 earlier retirement shall be so credited only in the event that such  
13 member returns to the retirement system with regular interest the actu-  
14 arial equivalent of the amount of the pension [~~he~~] received, or in the  
15 event that such amount is not so repaid the actuarial equivalent thereof  
16 shall be deducted from his or her subsequent retirement allowance.

17 c. Notwithstanding the foregoing provisions of this subdivision, a  
18 retired member who is receiving a retirement allowance for other than  
19 physical disability, and who returns to active public service, may elect  
20 not to be restored to membership in the retirement system until he or  
21 she has rendered one year of service following his return to public  
22 service. In such event his or her retirement allowance shall be  
23 suspended during such year of service in the same manner as provided in  
24 subdivision five of this section [~~five hundred three of this article~~].  
25 Upon restoration to membership following completion of such year of  
26 service, his or her service in such year shall be deemed to be service  
27 while a member for purposes of subdivision b of section five hundred  
28 twelve of this article. He or she may purchase [~~member~~] service credit  
29 for such year, which shall be deemed earned [~~member~~] service credit. If  
30 a retired member receiving a retirement benefit allowance for other than  
31 physical disability, returns to active public service, and is then inel-  
32 igible for membership in the retirement system, his or her retirement  
33 allowance shall be suspended in the same manner as provided in this  
34 section.

35 d. Notwithstanding any other provision of this article, a retired  
36 member who rejoins the system under the provisions of [~~paragraphs a or c~~  
37 ~~of~~] this subdivision shall only be entitled to a death benefit according  
38 to the provisions of paragraph two of subdivision b of section five  
39 hundred twelve of this article and of no other subdivision thereof and  
40 for the purposes of said paragraph two of subdivision b of section five  
41 hundred twelve the credited service as a teacher shall be service as a  
42 teacher credited since last joining the system.

43 § 2. This act shall take effect on the sixtieth day after it shall  
44 have become a law.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend subdivision 11 of Section 503 of the Education Law to allow a retired member of the New State Teachers' Retirement System, who returns to active service and suspends their pension benefit, to elect to combine their service credit earned prior to their retirement with the service credit earned after their restoration to active service, provided they have earned at least two years of service credit since restoration to active service. The law currently requires five years of service credit since restoration to active service to combine all service credit. In either case the member must return the amount of pension previously received, or have their benefit reduced for life based upon the actuarial equivalent of the prior pension received.

This bill would take effect on the sixtieth day after it shall become a law.

The annual cost to the employers of members of the New York State Teachers' Retirement System is estimated to be negligible if this bill is enacted.

Member data is from the System's most recent actuarial valuation files, consisting of data provided by the employers to the Retirement System. Data distributions and statistics can be found in the System's Annual Report. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods are provided in the System's Actuarial Valuation Report.

The source of this estimate is Fiscal Note 2022-1 dated October 18, 2021 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2022 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

VETO MESSAGE - No. 138

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bills:

Assembly Bill Number 4607-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors"

Assembly Bill Number 7914-C, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the state police twenty year retirement plan"

Assembly Bill Number 9581, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of final average salary for certain members of the New York state and local police and fire retirement system"

Assembly Bill Number 9738, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals employed by Nassau county"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6093-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to certain medical presumptions applicable to members of the New York state and local employees' retirement system"

Senate Bill Number 6980-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to authorizing police/fire members of the New York city fire department pension fund to obtain credit for service as an EMT member"

Senate Bill Number 6981-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program"

Senate Bill Number 6985-B, entitled:

"AN ACT to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system"

Senate Bill Number 6988-B, entitled:

"AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors"

Senate Bill Number 8192, entitled:

"AN ACT to amend the civil service law, in relation to ensuring identical health benefits for skilled nursing care for public retirees"

Senate Bill Number 8399, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system"

Senate Bill Number 8448, entitled:

"AN ACT to amend the retirement and social security law, in relation to providing certain death benefits to correction officers, correction officer-sergeants, correction officer-captains, assistant wardens, associate wardens or wardens employed by Westchester county"

Senate Bill Number 8477, entitled:

"AN ACT to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement"

Senate Bill Number 8559, entitled:

"AN ACT to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs"

Senate Bill Number 8682, entitled:

"AN ACT to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

Senate Bill Number 8959, entitled:

"AN ACT to amend the retirement and social security law, in relation to transfer of retirement membership for certain employees of SUNY within the professional, scientific and technical bargaining unit"

Senate Bill Number 9296, entitled:

"AN ACT to amend the education law, in relation to allowing retirees of the New York state teachers' retirement system who suspend their retirement the option of a benefit recalculation after two years of service"

NOT APPROVED

These bills aim to provide State and local employees with various enhancements to retirement or disability benefits. I fully support our public employees and appreciate the vital services they provide to New Yorkers; however, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years. The aggregate cost of these bills would impose a substantial burden on New York State taxpayers. To provide all the benefits envisioned by these bills, the State and its localities would be required to pay a combined, estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs.

These unplanned costs would put undue fiscal pressure on local governments already working to provide services to New Yorkers within limited budgets. Fixed costs associated with these benefit enhancements would hinder the ability of local governments to function effectively and would negatively impact the State's overall economic competitiveness. These costs must be addressed in the context of the annual budget negotiations where they can be analyzed with other State spending, including spending to assist localities, rather than as individual bills that do not have an accompanying appropriation and are not considered in the context of the State's current or future financial plan or their impact on local governments.

Based on these concerns, I am constrained to veto these bills.

These bills are disapproved.

(signed) KATHY HOCHUL

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STATE OF NEW YORK

9327

IN SENATE

May 17, 2022

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions

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

1 Section 1. Paragraphs 1 and 2 of subdivision b of section 517-c of the  
2 retirement and social security law, paragraph 1 as amended and paragraph  
3 2 as added by chapter 303 of the laws of 2017, are amended to read as  
4 follows:

5 1. A member of the New York state and local employees' retirement  
6 system, the New York state and local police and fire retirement system,  
7 the New York city employees' retirement system [~~or~~], the New York city  
8 board of education retirement system or the New York city police pension  
9 fund in active service who has credit for at least one year of member  
10 service may borrow, no more than once during each twelve month period,  
11 an amount not exceeding seventy-five percent of the total contributions  
12 made pursuant to section five hundred seventeen of this article (includ-  
13 ing interest credited at the rate set forth in subdivision c of such  
14 section five hundred seventeen compounded annually) and not less than  
15 one thousand dollars, provided, however, that the provisions of this  
16 section shall not apply to a New York city uniformed  
17 correction/sanitation revised plan member or an investigator revised  
18 plan member.

19 2. A member of the New York state and local employees' retirement  
20 system who first joins such system on or after January first, two thou-  
21 sand eighteen, or a member of the New York city police pension fund who  
22 first joins such system on or after January first, two thousand eighteen  
23 in active service who has credit for at least one year of member service  
24 may borrow, no more than once during each twelve month period, an  
25 amount, not less than one thousand dollars and which would not cause the  
26 balance owed pursuant to this section, including any amounts borrowed  
27 then outstanding, to exceed (i) fifty percent of the member's total

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

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1 contributions made pursuant to section five hundred seventeen of this  
 2 article (including interest credited at the rate set forth in subdivi-  
 3 sion c of such section five hundred seventeen compounded annually); or  
 4 (ii) fifty thousand dollars, whichever is less.

5 § 2. Subdivisions d and i of section 517-c of the retirement and  
 6 social security law, subdivision d as added by chapter 920 of the laws  
 7 of 1990 and subdivision i as amended by chapter 426 of the laws of 2018,  
 8 are amended to read as follows:

9 d. The rate of interest payable upon loans made pursuant to this  
 10 section shall: (1) for members of the New York state and local employ-  
 11 ees' retirement system, be one percent less than the valuation rate of  
 12 interest adopted for such system, however, in no event shall the rate be  
 13 less than the rate set forth in subdivision c of section five hundred  
 14 seventeen of this article; (2) for members of the New York city employ-  
 15 ees' retirement system, be one percent less than the regular interest  
 16 rate established pursuant to [~~subdivision (c) of section 13-101.12~~]  
 17 **paragraph (c) of subdivision twelve of section 13-101** of the administra-  
 18 tive code of the city of New York for such system, however, in no event  
 19 shall the rate be less than the rate set forth in subdivision c of  
 20 section five hundred seventeen of this article; [~~and~~] (3) for members of  
 21 the New York city board of education retirement system, be one percent  
 22 less than the regular interest rate established pursuant to subparagraph  
 23 four of paragraph (b) of subdivision sixteen of section twenty-five  
 24 hundred seventy-five of the education law for such system, however, in  
 25 no event shall the rate be less than the rate set forth in subdivision c  
 26 of section five hundred seventeen of this article; **and (4) for members**  
 27 **of the New York city police pension fund, be one percent less than the**  
 28 **regular interest rate established pursuant to subdivision b of section**  
 29 **13-638.2 of the administrative code of the city of New York for such**  
 30 **system, however, in no event shall the rate be less than the rate set**  
 31 **forth in subdivision c of section five hundred seventeen of this**  
 32 **article.** Whenever there is a change in the interest rate, it shall be  
 33 applicable to loans made or renegotiated after the date of such change  
 34 in the interest rate.

35 i. Notwithstanding the provisions of section five hundred sixteen of  
 36 this article, whenever a member of such a retirement system, for whom a  
 37 loan is outstanding, retires, the retirement allowance payable without  
 38 optional modification shall be reduced by a life annuity which is actu-  
 39 arially equivalent to the amount of the outstanding loan (all outstand-  
 40 ing loans shall continue to accrue interest charges until retirement),  
 41 such life annuity being calculated utilizing the interest rate on thirty  
 42 year United States treasury bonds as of January first of the calendar  
 43 year of the effective date of retirement and the mortality tables for  
 44 options available under section five hundred fourteen of this article. A  
 45 retiree of the New York city employees' retirement system, board of  
 46 education retirement system of the city of New York, [~~or~~] the New York  
 47 state and local employees' retirement system, **or the New York city**  
 48 **police pension fund** whose benefit has been so reduced may repay the  
 49 outstanding balance of the loan at any time. Benefits payable after the  
 50 repayment of the loan shall not be subject to the actuarial reduction  
 51 required by this subdivision.

52 § 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend the Retirement and Social Security Law (RSSL) to permit Tier 3, Tier 3 Revised, and Tier 3 Enhanced members (who are subject to Article 14) of the New York

City Police Pension Fund (POLICE), to take loans against their accumulated total member contributions with interest.

Effective Date: Upon enactment.

BACKGROUND: Tier 1 and Tier 2 members of POLICE are generally permitted, subject to certain restrictions, to borrow from their accumulated Basic Member Contributions (BMC) with interest. However, Tier 3, Tier 3 Revised, and Tier 3 Enhanced members are currently not permitted to take loans on their contributions.

The proposed legislation would permit Tier 3, Tier 3 Revised, and Tier 3 Enhanced members of POLICE to borrow from their accumulated total member contributions, which include Enhanced Plan Additional Member Contributions (AMC). For members with a date of membership before January 1, 2018, the members may take out a loan up to 75% of their total contributions plus accumulated interest. For members with a date of membership on and after January 1, 2018, the loan is limited to 50% of their total member contributions plus accumulated interest or \$50,000, whichever is less.

This Fiscal Note does not account for any tax implications or penalties that may result to POLICE members in the event loans exceed thresholds set by the Internal Revenue Service.

FINANCIAL IMPACT - RELATED TO OUTSTANDING LOANS AT RETIREMENT: In the event an outstanding loan exists at retirement, the balance of the unpaid loan is converted to an annuity based on the yield on 30-year U.S. Treasury securities and deducted from the annual retirement allowance otherwise payable. This conversion is made on an actuarial basis that is different than the basis used to determine the employer contribution to POLICE. As a result of this difference in actuarial bases and based on the census data, actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately \$40.0 million.

Under the Entry Age Normal cost method used to determine the employer contributions to POLICE, there would be an increase in the Unfunded Accrued Liability (UAL) of approximately \$9.4 million and an increase in the Present Value of future employer Normal Cost of \$30.6 million.

FINANCIAL IMPACT - RELATED TO LOST INVESTMENT EARNINGS: Currently, member contributions are invested with other POLICE assets in accordance with its overall investment policy. Thus, member contributions are expected to earn, in accordance with the POLICE long-term assumption for earnings on assets, 7.0% per annum.

When an active member borrows member contributions from POLICE, the loan is repaid with interest at 6.0% per annum prior to retirement. Thus, POLICE asset earnings would be lessened due to the decrease in assets attributable to the amount of loans outstanding.

Assuming loan repayment within one year, the member contributions borrowed while in active service are expected to reduce overall POLICE investment earnings by approximately \$472 for every \$100,000 borrowed, resulting in a decrease in the Market Value of Assets (MVA). As of June 30, 2021, members eligible to borrow member contributions under this proposed legislation had balances totaling approximately \$316.3 million, \$230.6 million of which would be eligible for a loan. Based on the assumptions described below, the result of this difference between the loan repayment rate of 6.0% and the expected investment earnings rate of 7.0% is a decrease in the MVA, or asset loss, of approximately \$0.3 million per year.

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New

York, new UAL attributable to benefit changes are to be amortized as determined by the Actuary but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. As of June 30, 2021, the remaining working lifetime of the members in Tier 3, Tier 3 Revised, and Tier 3 Enhanced Plan is approximately 18 years.

For the purposes of this Fiscal Note, the increase in UAL was amortized over an 18-year period (17 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This payment plus the increase in the Normal Cost results in an increase in annual employer contributions of approximately \$3.0 million each year. Assuming a homogeneous population, this cost will decrease by approximately 10% over time as a larger portion of the membership is limited to a maximum loan percentage of 50% and a maximum loan amount of \$50,000.

Since the changes in the POLICE Actuarial Value of Assets under this proposed legislation are not known in advance, the asset loss due to this legislation has been treated as an actuarial loss. These actuarial losses will be amortized over a 15-year period (14 payments under the OYLM) using level dollar payments. The actuarial losses related to the lost investment earnings, will eventually compound to an increase in employer contributions of \$0.3 million per year.

Therefore, the total cost for this legislation, if enacted, is approximately \$3.3 million per year.

**CONTRIBUTION TIMING:** For the purposes of this Fiscal Note, it is assumed that the changes in the PVFB and annual employer contributions would be reflected for the first time in the Final June 30, 2021 actuarial valuation of POLICE. In accordance with the OYLM used to determine employer contributions, the increase in employer contributions would first be reflected in Fiscal Year 2023.

**CENSUS DATA:** The estimates presented herein are based on the census data used in the Preliminary June 30, 2021 (Lag) actuarial valuation of POLICE to determine the Preliminary Fiscal Year 2023 employer contributions.

The 17,963 Tier 3, Tier 3 Revised, and Tier 3 Enhanced members in POLICE as of June 30, 2021 had an average age of approximately 31.8 years, average service of approximately 5.3 years, and an average salary of approximately \$97,600.

**ACTUARIAL ASSUMPTIONS AND METHODS:** The changes in the PVFB and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the Preliminary June 30, 2021 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2023 employer contributions of POLICE.

In addition, for the purposes of this Fiscal Note, it has been assumed that the yield on 30-year U.S. Treasury securities, on a long-term basis would equal 3.5% per year. Finally, it has been assumed that 25% of member balances available for borrowing would be taken as loans.

**RISK AND UNCERTAINTY:** The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of POLICE and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

\* The initial, additional administrative costs of POLICE and other New

York City agencies to implement the proposed legislation.

\* The impact of this proposed legislation on Other Postemployment Benefit (OPEB) costs.

STATEMENT OF ACTUARIAL OPINION: I, Michael J. Samet, am the Interim Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2022-44 dated May 5, 2022 was prepared by the Interim Chief Actuary for the New York City Police Pension Fund. This estimate is intended for use only during the 2022 Legislative Session.

VETO MESSAGE - No. 173

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 7383-A, entitled:

"AN ACT to amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system"

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 4686-A, entitled:

"AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore"

Senate Bill Number 9327, entitled:

"AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions"

NOT APPROVED

These three bills are part of a larger group of more than 20 bills passed by the Legislature this year that aim to provide State and local employees with various enhancements to retirement or disability benefits. As I have stated previously, I fully support our public employees and appreciate the vital services they provide to New Yorkers. However, I cannot sign these bills because none of them include a funding source or plan to cover their costs in the current fiscal year or in future years.

When considered in the aggregate, these retirement and disability benefit bills create a substantial burden on New York State taxpayers that would drive an estimated total of over \$361 million in near-term costs and \$1.4 billion in long-term costs. These costs must be addressed in the context of the annual budget negotiations where they can be considered with other State spending, including spending to assist localities, rather than as individual pieces of legislation passed without appropriations or consideration for the State's current or future financial plan or for the fiscal impact to localities.

Based on these concerns, I am constrained to veto these bills.

The bills are disapproved.

(signed) KATHY HOCHUL

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