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

8023--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 1, 2009

Introduced by M. of A. SWEENEY -- Multi-Sponsored by -- M. of A. HOOPER -- read once and referred to the Committee on Local Governments -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to service award programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (b) of subdivision 8 of section 219-d of the general municipal law, as amended by chapter 514 of the laws of 1998, is amended to read as follows:

(b) The entitlement age, the number of years of ambulance service required to obtain a nonforfeitable right to a service award, and the activities for which points shall be granted toward a year of ambulance service may be changed by resolution adopted by the affirmative vote of at least sixty percent of the governing board of the sponsor without referendum; PROVIDED, THAT, CONSISTENT WITH THE PROVISIONS OF SUBDIVISION THREE OF SECTION TWO HUNDRED NINETEEN-M OF THIS ARTICLE, IF THE EFFECT OF THE AMENDMENT IS TO INCREASE THE NUMBER OF POINTS GRANTED FOR THE PERFORMANCE OF THE ACTIVITY, DECREASE THE AMOUNT OF AN ACTIVITY REQUIRED TO EARN THE POINTS GRANTED FOR THE PERFORMANCE OF THE ACTIVITY, OR BOTH, SUCH AMENDMENT SHALL BE SUBJECT TO A MANDATORY REFERENDUM. ANY AMENDMENT TO A SERVICE AWARD PROGRAM SHALL ONLY TAKE EFFECT AS OF THE FIRST OF JANUARY NEXT SUCCEEDING COMPLETION OF THE PROCEEDINGS REQUIRED FOR ADOPTION OF THE AMENDMENT AND SHALL ONLY APPLY PROSPECTIVELY.

S 2. Subdivision 3 of section 219-k of the general municipal law, as added by chapter 558 of the laws of 1998, is amended to read as follows:

3. ["Entitlement age" means age sixty-five and, except in the case of disability or death, shall be the earliest age at which a participant who has a nonforfeitable right to a service award is entitled to apply

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

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for and begin receiving a service award.] "ENTITLEMENT AGE" MEANS THE AGE DESIGNATED BY THE SPONSOR AT WHICH A PROGRAM PARTICIPANT IS ENTITLED TO BEGIN RECEIVING AN UNREDUCED SERVICE AWARD. IN NO EVENT SHALL THE ENTITLEMENT AGE UNDER A PROGRAM BE EARLIER THAN AGE FIFTY-FIVE NOR LATER THAN THE AGE AT WHICH THE PARTICIPANT CAN RECEIVE AN UNREDUCED BENEFIT UNDER TITLE II OF THE SOCIAL SECURITY ACT (PUBLIC LAW 74-271 U.S.C. 306 ET SEQ.). NO SERVICE AWARD PROGRAM MAY PROVIDE FOR THE PAYMENT OF BENEFITS (EXCEPT IN THE CASE OF DEATH OR DISABILITY) BEFORE AGE FIFTY-FIVE.

S 3. Paragraph (h) of subdivision 5 of section 219-l of the general municipal law, as added by chapter 558 of the laws of 1998, is amended and a new paragraph (i) is added to read as follows:

(h) the date on which the proposition authorizing the adoption of the program shall be submitted to referendum[.]; AND

(I) ENTITLEMENT AGE- THE AGE AT WHICH VOLUNTEERS ARE ELIGIBLE TO BEGIN RECEIVING SERVICE AWARDS.

S 4. Paragraph (b) of subdivision 9 of section 219-l of the general municipal law, as added by chapter 558 of the laws of 1998, is amended to read as follows:

(b) The activities for which points shall be granted toward a year of ambulance service may be changed by resolution adopted by the affirmative vote of at least sixty percent of the governing board of the sponsor without referendum; PROVIDED, THAT, CONSISTENT WITH THE PROVISIONS OF SUBDIVISION THREE OF SECTION TWO HUNDRED NINETEEN-M OF THIS ARTICLE, IF THE EFFECT OF THE AMENDMENT IS TO INCREASE THE NUMBER OF POINTS GRANTED FOR THE PERFORMANCE OF THE ACTIVITY, DECREASE THE AMOUNT OF AN ACTIVITY REQUIRED TO EARN THE POINTS GRANTED FOR THE PERFORMANCE OF THE ACTIVITY, OR BOTH, SUCH AMENDMENT SHALL BE SUBJECT TO A MANDATORY REFERENDUM. ANY AMENDMENT TO A SERVICE AWARD PROGRAM SHALL ONLY TAKE EFFECT AS OF THE FIRST OF JANUARY NEXT SUCCEEDING COMPLETION OF THE PROCEEDINGS REQUIRED FOR ADOPTION OF THE AMENDMENT AND SHALL ONLY APPLY PROSPECTIVELY.

S 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the state comptroller on or before such date.