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

5093

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize Faye Marie Mazzola to apply for retroactive membership and service credit in 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:

Section 1. Notwithstanding any other law to the contrary, Faye Marie Mazzola, who was employed as a seasonal attendant by the town of Frankfort, a participating employer in the New York state and local employees' retirement system, from July 28, 1958 until August 31, 1958, from August 3, 1959 until September 4, 1959, and from August 1, 1960 until September 15, 1960, and who is currently a retired Tier 3 member of the New York state teachers' retirement system, and who, for reasons not ascribable to her own negligence, failed to become a member of the New York state and local employees' retirement system on July 28, 1958 when first employed by the town of Frankfort shall be deemed to have been a member of such retirement system on the date she first commenced such employment having Tier 1 status, provided that an application is filed with the head of the New York State teachers' retirement system within one year from the effective date of this act.

S 2. No contributions made to the New York state teachers' retirement system by Faye Marie Mazzola shall be returned to her pursuant to this act.

S 3. All past service costs of implementing the provisions of this act shall be borne by the town of Frankfort.

S 4. This act shall take effect immediately.

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

This bill would allow Faye Marie Mazzola, a retired Tier 3 member of the New York State Teachers' Retirement System, to be reclassified as a Tier 1 member. Her date of membership would be changed based upon her

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

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employment as a seasonal attendant in 1958 for the Town of Frankfort. Additionally, Ms. Mazzola's pension would be recalculated with retroactive adjustment to payments made since her date of retirement of December 31, 2007.

The cost of this benefit is equal to the increase in the present value of liabilities, which is estimated to be $38,000. The cost would be borne by the town of Frankfort.

The source of this estimate is Fiscal Note 2009-51 dated April 23, 2009 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2009 Legislative Session.