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

10268

I N A S S E M B L Y

March 16, 2010

Introduced by M. of A. TOWNSEND -- read once and referred to the Committee on Governmental Employees

AN ACT to authorize the town of Kirkland, in the county of Oneida, to offer an optional twenty year retirement plan to police officers Christine M. Griffin, Horace T. Knight, Pete J. Cania and Wayne R. Smoulcey

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

Section 1. Notwithstanding any other provision of law to the contrary, the town of Kirkland, in the county of Oneida, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional twenty year retirement plan, established pursuant to section 384-d of the retirement and social security law, and the additional pension benefits to members of such plan, established pursuant to section 384-e of the retirement and social security law, to police officers employed by such town, is hereby authorized to make participation in such plan and benefits available to Christine M. Griffin, Horace T. Knight, Pete J. Cania and Wayne R. Smoulcey, police officers employed by the town of Kirkland, who, for reasons not ascribable to his or her own negligence failed to make a timely application to participate in such optional twenty year retirement plan and the additional pension benefits therefor. The town of Kirkland may so elect by filing with the state comptroller, on or before December 31, 2010, a resolution of its town board together with certification that such police officers did not bar himself or herself from participation in such retirement plan and additional pension benefits as a result of his or her own negligence. Thereafter, such police officers may elect to be covered by the provisions of sections 384-d and 384-e of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such sections, by filing a request to that effect with the state comptroller on or before June 30, 2011.

S 2. All employer costs associated with implementing the provisions of this act shall be borne by the town of Kirkland.

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

LBD14808-02-0

S 3. This act shall take effect immediately.

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

This bill will allow the town of Kirkland to elect to reopen the provisions of Section 384-d together with the provisions of Section 384-e of the Retirement and Social Security Law for Police Officers Griffin, Knight, Cania and Smoulcey.

If this bill is enacted and the above officers become covered under Section 384-e, we anticipate that there will be an increase of approximately $6,370 in the annual contributions of the town of Kirkland for the fiscal year ending March 31, 2011.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $32,700 which would be borne by the town of Kirkland as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2011.

This estimate, dated February 5, 2010, and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-83, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.