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

5616

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ERRIGO, BALL, FINCH, HAWLEY, KOLB, TOWNSEND, WALKER -- Multi-Sponsored by -- M. of A. ALFANO, BACALLES, BARCLAY, BARRA, CROUCH, GIGLIO, McKEVITT, MOLINARO, SALADINO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the military law, in relation to retirement age of certain members of the New York guard

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

Section 1. Subdivision 1 of section 21 of the military law, as amended by chapter 122 of the laws of 1983, is amended to read as follows:

1. Any commissioned officer or warrant officer of the organized militia, APART FROM THE NEW YORK GUARD, who has reached the age of sixty-eight years shall be retired for age and transferred to the state retired list by the governor; provided, that any commissioned officer or warrant officer of the organized militia may be retired for age at an age less than sixty-eight years in order to conform with the laws and regulations of the United States applicable to the organized militia and may be transferred to the state retired list by the governor. OFFICERS, WARRANT OFFICERS, AND ENLISTED MEMBERS OF THE NEW YORK GUARD MAY SERVE UNTIL THEY HAVE REACHED THE AGE OF SEVENTY-FIVE YEARS, AT WHICH TIME THEY SHALL BE RETIRED FOR AGE AND TRANSFERRED TO THE STATE RETIRED LIST BY THE GOVERNOR.

S 2. This act shall take effect immediately.

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

LBD05760-01-9