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

6052

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

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

AN ACT to authorize Alexander A. Restaino 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 provision of law, Alexander A. Restaino, a member of the New York state and local employees' retirement system employed by the county of Westchester, who was employed by the parks and recreation department of the city of New York from May 24, 1967 until February 23, 1968, and who, for reasons not ascribable to his own negligence, failed to become a member of the New York city employees' retirement system while so employed by the city of New York, shall be deemed to have joined the New York state and local employees' retirement system on May 24, 1967 and receive service credit in such retirement system for such employment by the city of New York, if on or before December 31, 2009 he shall file an application therefor with the state comptroller. Upon the receipt of such application, Alexander A. Restaino shall be granted, Tier I status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof.

S 2. No contributions made to the New York state and local employees' retirement system by Alexander A. Restaino shall be returned to him pursuant to this act.

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

S 4. This act shall take effect immediately.

FISCAL NOTE.--This bill will deem Alexander A. Restaino, an employee of Westchester County and a former employee of the City of New York, to have become a member of the New York State and Local Employees' Retire-

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

LBD06763-02-9

ment System on May 24, 1967, thereby making him a Tier 1 member. No contributions made to the New York State and Local Employees' Retirement System by Mr. Restaino shall be returned to him.

If this bill is enacted, we anticipate that there will be an increase of approximately $3,100 in the annual contributions of Westchester County for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $50,200 which will be borne by Westchester County, as a one-time payment. This cost assumes a payment date of February 1, 2010.

This estimate, dated January 27, 2009 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-119, prepared by the Actuary for the New York State and Local Employees' Retirement System.