

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

6659--A

2009-2010 Regular Sessions

I N A S S E M B L Y

March 11, 2009

Introduced by M. of A. DESTITO -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to allow Mary Jacquelyn Barry to file a request for retroactive membership 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:

1 Section 1. Notwithstanding any other provision of law, Mary Jacquelyn
2 Barry, a member of the New York state and local employees' retirement
3 system, who was employed by the city of Rome, commencing on June 25,
4 1976, who, for reasons not ascribable to her own negligence, did not
5 file a membership application in such system until September 1, 1988,
6 may be deemed to have become a member of the New York state and local
7 employees' retirement system on June 25, 1976 if on or before December
8 31, 2010 she shall file with the state comptroller a written request to
9 that effect. Upon the granting of such retroactive membership, Mary
10 Jacquelyn Barry shall be granted a refund of any employee contributions
11 made by her to the New York state and local employees' retirement
12 system.

13 S 2. All costs incurred in implementing the provisions of this act
14 shall be borne by the state of New York.

15 S 3. This act shall take effect immediately.

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

This bill will deem Mary Jacquelyn Barry to have become a member of the New York State and Local Employees' Retirement System on June 25, 1976, her first date of employment with the city of Rome, thereby granting her Tier 2 status. All member contributions will be refunded.

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

LBD03779-03-0

If this bill is enacted, we anticipate that there will be an increase of approximately \$2,100 in the annual contributions of the State of New York 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 \$73,300 which will be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2011.

This estimate, dated January 13, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-68, prepared by the Actuary for the New York State and Local Employees' Retirement System.