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

S. 3661--A A. 7292--A

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

March 27, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. ALESSI -- 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 granting retroactive tier I membership in the New York state and local employees' retirement system to Maria Williams

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, Maria Williams, a member of the New York state and local employees' retirement system, who was employed temporarily commencing August 28, 1972, and permanently on February 26, 1973, by the county of Suffolk, who, for reasons not ascribable to her own negligence, did not file a membership application in such system until September 27, 1973, which gave her Tier II status instead of Tier I status, where she would have been had she been able to file a membership application when she became a permanent employee on February 26, 1973, may be deemed to have become a member of the New York state and local employees' retirement system on February 26, 1973 if on or before December 31, 2010 she shall file with the state comptroller a written request to that effect. Upon the granting of such retroactive membership, Maria Williams shall not be granted a refund of any employee contribution made by her to the New York state and local employees' retirement system.

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

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S 2. Any past service costs incurred in implementing the provisions of this act shall be borne by the county of Suffolk.

S 3. This act shall take effect immediately.

FISCAL NOTE. -- This bill would grant Maria Williams Tier 1 status in the New York State and Local Employees' Retirement System by changing her date of membership to February 26, 1973 when she was first permanently employed by Suffolk County. There will be no refund of Ms. Williams' member contributions.

If this bill is enacted, we anticipate that there will be an increase of approximately $970 in the annual contributions of Suffolk County 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 $54,700 which would be borne by Suffolk County as a one time payment. This estimate is based on the assumption that payment will be made on February 1, 2011.

This estimate, dated January 11, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-72, prepared by the Actuary for the New York State & Local Employees' Retirement System.