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

8731--A

2009-2010 Regular Sessions

I N A S S E M B L Y

June 4, 2009

Introduced by M. of A. MAGEE -- 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 authorize the city of Oneonta, in the county of Otsego, to offer an optional twenty year retirement plan to police sergeant Douglas W. Brenner

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 city of Oneonta, in the county of Otsego, 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, to police officers employed by such city, is hereby authorized to make participation in such plan available to Douglas W. Brenner, a police sergeant employed by the city of Oneonta, who, for reasons not ascribable to his own negligence failed to make a timely application to participate in such optional twenty year retirement plan.

The city of Oneonta may so elect by filing with the state comptroller, on or before December 31, 2010, a resolution of its governing body together with certification that such police sergeant did not bar himself from participation in such retirement plan as a result of his own negligence. Thereafter, such police sergeant may elect to be covered by the provisions of section 384-d of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section for the service rendered with the city of Oneonta only, by filing a request to that effect with the state comptroller on or before June 30, 2011.

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

LBD11444-08-0

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

S 3. This act shall take effect immediately.

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

This bill will allow the City of Oneonta to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for Police Officer Douglas W. Brenner. Officer Brenner may elect the coverage under section 384-d and will be credited with the service rendered with the City of Oneonta only.

If this bill is enacted and the above officer becomes covered under Section 384-d, we anticipate that there will be an increase of approximately $3,300 in the annual contributions of the City of Oneonta for the fiscal year ending March 31, 2011.

There will be no past service costs.

This estimate, dated January 19, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-75, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.